Big Mountain News

IN SUPPORT OF THE
BIG MOUNTAIN & J.U.A.
RESISTANCE TO RELOCATION

FALL
1985

DISINFORMATION CAMPAIGN GOING STRONG

In the middle of September, stories on the "Navajo - Hopi land dispute" ran in two major national media, the New York Times and Newsweek. Both stories show that coverage of the dispute in 1985 is being manipulated just as it was in 1973 - 1974, prior to passage of the Relocation Act.

The 1974 Act was passed in the midst of public furor over an apparent "range war" raging between Navajo and Hopi. Subsequent investigation showed that the "war" was fabricated by a Salt Lake City public relations firm representing not only the Hopi Tribe (which gains one million acres under the Act) but also a consortium of utilities seeking access to Black Mesa resources. Several incidents were instigated by hired Anglo cowboys, in a tactic identical to the use of provocateur goons at Pine Ridge in the 1973 Wounded Knee siege. The media dutifully reported the drama.

The authors of the two recent stories both spent several days on the reservations, and their integrity has not been questioned. Yet both stories have been groomed in a way which serves the needs of Peabody and sabotages public awareness that there is substantial opposition to the Act by traditional Hopi and Navajo.

The grooming takes place under pressure from the Hopi Tribal Chairman and his attorneys, and is often actually performed by attorneys working for the media.

TWO VERSIONS OF "DISPUTE"

To understand choices facing reporters covering the "land dispute" one has to first understand that there are two basic competing theories of the nature of the dispute. The first version, which has dominated most coverage for the past 12 years, is that there is a long-standing dispute between the Navajo and Hopi people which goes back more than a century, and which results from Navajo crowding onto Hopi lands.

The second version of the dispute attributes the 1974 Relocation Act to economic interests seeking to resolve legal ownership to the Black Mesa so they could lease the coal, clear the land in order to mine the coal, and otherwise develop the Southwest power complex. This version focusses on Peabody, the Central Arizona Project, the B.I.A. and the elite faction of Indian "progressives" who run Tribal affairs as the key actors. This version also assumes some dispute between Indians, in this case within each Tribe between traditionals and progressives.

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RELOCATION ACT: BACK TO CONGRESS

REAGAN NEGOTIATIONS COLLAPSE

With the collapse in August of President Reagan's 6 month attempt to arbitrate the Navajo - Hopi land dispute, the Relocation Act has been sent back to Congress.

In September Congressional fighting over the Act began in earnest. Initial skirmishes took place in a Senate Committee showdown over appropriations for the relocation program, with voting split along party lines. At press time there was still no sign of a bill to repeal the 1974 Act, P.L. 93-531, but rumors persisted.

The appropriations fight took place in Senate appropriations committees, with Democrat Dennis DeConcini recommending a routine renewal of Relocation Commission funding, and Republican committee Chairman McClure (Idaho) pushing for a one-time "final" expenditure of $85 million dollars in addition to the annual $20 million dollar appropriation.

GOLDWATER MOVES FOR QUICK SOLUTION

McClure's bill was seen as a hardline anti-relocatee, fiscally conservative, measure because it requires final determination of all relocations by April of 1986, and inserts the B.I.A. directly into the relocation program. McClure's bill appears to be the "low budget" approach to finishing up the Navajo removal, because it concludes the program in 1986.

Most other observers, including investigators for the House Appropriations Committee, Senator DeConcini and members of the Relocation Commission itself, feel there is no way the relocation can be completed by 1986, and suggest that if it is to be completed at all it will require many more years and hundreds of millions of dollars. McClure's bill passed the Committee, 14 -11.

The purpose of McClure's bill, introduced with Goldwater's blessing, is to allow the Relocation Commission to declare a "victory" upon "completion" of the program next July, and then turn over any remaining problems to the Bureau of Indian Affairs, according to Congressional insiders. Key lobbyists for the "quick solution", long advocated by the Hopi Tribe, are John Paul Kennedy (formerly of Boyden, Kennedy and Romney), former Peabody executive Harrison Loesch and Fred Craft, both on retainer to the Relocation Commission.

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TRIBAL CHAIRMEN CLARIFY POSITIONS

"The Hopis' position is that negotiations have come and gone," stated Hopi Tribe Chairman Ivan Sidney at a press conference on August 21. "In 1974 the courts and Congress settled the land issue. There is a law, and we expect the Navajo to comply."

Navajo Chairman Zah commented "it seems to me that as reasonable people we ought to be able to come together and try to resolve this issue, because, no matter what, practically all the Navajo and Hopi are going to live together, side by side, forever."

"The Navajos are willing to agree in principle to the Reagan Administration proposal. The Hopis are not," Zah noted in a prepared statement.

Sidney's position was explicit : "Hopis are only asking what the law requires. It is the responsibility of the government to enforce the act, which does include relocation."

In a statement to the House Appropriations Committee in March Sidney stated "we are here to ask you to...complete the relocation of Navajos from the Hopi reservation by July 6, 1986."

Regarding "so called traditionalist Navajos, in fact there are only ten unwilling relocatee families in the area," Sidney told the Committee. "The remaining task of relocation is much smaller than Congress has been led to believe. A plan must be developed to 'force' relocation."

Sidney has taken this position clearly throughout the negotiations. "Any Navajos remaining on Hopi lands after the relocation deadline will be considered trespassers," Sidney told reporters in July.

Referring specifically to several thousand "traditional Navajo", Zah said "there is serious question as to whether these Navajo families could survive forced relocation." Zah's response to claims that there was not substantial remaining resistance was given at a press conference at Hard Rock on August 26. "When people talk about Big Mountain, there are several Big Mountains around the JUA. The Big Mountain situation is visible and many

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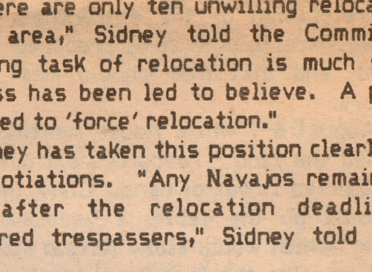

THREAT OF U.S. TROOPS REMAINS

"Eviction of those Navajo could be enforced by U.S. marshalls and the U.S. military" - Richard Morris, speaking for the President on May 29 at Hotevilla. He also noted that the President hoped to avoid "this kind of confrontation".

With the collapse in August of the Reagan attempt at a negotiated settlement, the July 8, 1986 deadline is now less than 10 months away. The President's intervention was necessitated by two facts : thousands of Navajo have refused to leave their homelands, while several thousand more who tried to relocate have failed and want to return to their homes.

Nevertheless P.L. 93-531, and the Hopi Chairman, require that the 1500 square mile "Hopi Partitioned Lands" be cleared by next July.

Big Mountain has been the focus of much media coverage, but, as Navajo Chairman Zah noted, "there are many Big Mountains. There are many people at Teesto, Tonalea, and all around the Joint Use Area who won't move."

Estimates of magnitude of the resistance vary widely, from the Hopi Tribe's low estimates of 65-100 families, upwards to the 2000-3000 families who have told the Relocation Commission they still claim the JUA as home. The Navajo Tribe says there are 1776 familes (nearly 8,000 people) remianing to be relocated.

The difference in estimates reflect the various agencies' disagreement over "permanent occupancy" and over who is subject to the Act. Regardless of these differing statistics, all observers agree there is a resistance mobilizing.

Proposals by some congresspeople to resolve the current dilemma by "extending" the relocation deadline ignore the depth of the people's commitment to remaining on the land. The peoples' position has not changed over the past 12 years. Nor do they indicate any receptiveness to "rental" proposals.

Asked about the threat of U.S. troops, many of the Elder women say they have faced soldiers before, and they have always survived.

Most bureaucratic discussion ignores indications that the traditional ways are not withering away among these people, but rather are undergoing a resurgence. Ceremonial life is strong, and this year's Sun Dance, brought to Navajo by the Lakota in support of the Navajo and Hopi, drew more than a thousand people.

While many government officials indicate a distaste for forcible removal, P.L. 93-531 remains. "The law is the law", as Hopi Chairman Sidney says.

There are persistent rumors among the people on the land that the National Guard is being trained specifically for the pending removal. Nationwide an "Emergency Response Network to Stop Indian Removals" is organizing to mobilize a non-Indian presence on the land in order to assure that no violence is directed at residents of the JUA. [see story elsewhere].

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Back to Congress...

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REAGAN NEGOTIATIONS COLLAPSE

Reagan's intervention last February came at the request of Barry Goldwater, who does not want the Act reopened and desperately wants resolution of the dispute before he retires in 1986. Reagan dispatched Judge William Clark, who, as National Security Advisor and then Secretary of Interior, had been Reagan's most reliable troubleshooter. Clark's assignment was to negotiate an out-of-Congress compromise between the two Chairmen which would avoid the possibility of a showdown next Summer between U.S. troops and Navajo refusing to leave their homelands.

Goldwater's expectation was that Clark would "whip the Navajo into line", but Clark quickly discovered that his main problem was an unanticipated rigid stance by the Hopi Chairman. Clark assigned Richard Morris to investigate and interview all involved, and then to make recommendations.

By early summer, Morris and Clark had explored all the options and still had found no mutually agreeable compromise. "Our proposals for agreement...all included as their central terms, exchanges of lands on which Navajo continue to reside...(and in return) would have given to the Hopi, resources having values much greater than the resource value of the exchanged lands", Clark wrote to the two Chairmen on July 30, in a letter telling them to meet him at the White House one week later.

The problem with Clark's proposals, however, was that "the Hopi have now made it abundantly clear that they will not enter upon any agreement that contemplates exchange of lands, whatever the value of assets received in return."

CHALLENGES GOOD FAITH OF HOPI CHAIRMAN

"Clearly, no progress has been realized," Clark wrote in his July 30 letter, and then threatened, "it is hoped that it will not be necessary in (my report to the President) to question the good faith of commitments made at Keams Canyon...where you (two chairmen) committed yourselves in good faith to an effort to resolve differences..."

CLARK WANTS NO REMOVALS

Clark invited them to the White House "as a final effort to reach agreement, as contemplated by the President's letters...there may be other bases for an agreement which will negate the necessity of involuntary relocation of the entrenched Navajo." Both chairmen were told to come prepared to enter an agreement, and that they should meet without their attorneys.

At the August 6-7 White House meetings, Clark again proposed the land - resources exchange. The Hopi Tribe rejected it out of hand. Clark then put a second proposal on the table, a "memorandum of understanding" which would allow Navajo still on the land to stay, renting the land from the Hopi Tribe. Navajo Chairman Zah immediately agreed, asking only that three provisions be added to assure the safety of those remaining on the land.

Hopi Chairman Sidney said he had to talk to his Tribal Council, but would report back in a week. He subsequently asked for another extension, but on August 21 announced, at a press conference in Albuquerque, that "the negotiations have come and gone." The negotiations were over.

The Administration stated throughout the negotiations that if no compromise is reached, it would "look to other solutions through other agencies." Since the collapse of the talks Morris and Clark have said they are preparing their report to the President, recommending the entire matter be reconsidered by Congress.

LOBBYING TO AVOID CONGRESS

The futility of Clark and Morris's expedition had become apparent to many observers by late Spring, causing Goldwater's office and the Relocation Commission to start scrambling to avoid reopening the Act in Congress. While lobbying to delay Clark's report, both offices hoped to piece together some form of "concession" by the Hopi Tribe which would soften Clark's recommendation for a full reopening of the Act.

Earlier, in July, Goldwater had demanded a meeting with Clark and Morris in Washington. In addition to Goldwater's staff "land dispute expert" Twinkle Thompson, attorneys Fred Craft and Harrison Loesch were present. Loesch and Craft served as counsel for the Senate Interior Committee in 1973-1974 when it developed the Relocation Act. At least one attendee later expressed puzzlement at the absence of Indians at a meeting to discuss resolution of an "Indian land dispute".

Although Clark completed his written report in early September, at press time it was still not publicly available. It appears that the surviving authors and sponsors of the 1974 Act desperately do not want Congress to reconsider the Act.

CLARK TRIES GOLDWATER, DECONCINI PROPOSALS

Clark's mission re-explored most of the alternatives considered by the Congressional offices over the past 11 years, except for repeal. His land exchange proposal was similar to Goldwater's exchange bill introduced in July, 1982. Zah had tried to sweeten the exchange by throwing in minerals rights, but to no avail. Clark's next proposal, a modified life-estate-rental approach, approximated a bill introduced by DeConcini in October of 1982. DeConcini withdrew the bill when Navajo Chairman Peter MacDonald lost his re-election bid to Peterson Zah, and Zah requested time to pursue a solution outside of Congress.

Asked why the Reagan Administration was supporting an approach previously sponsored by the Arizona Democrat, a committee staffer said that DeConcini's 1982 bill was the only compromise which conformed to three groundrules: (1) the Hopi Tribe will not settle for less than 50% of the land, (2) the traditional Navajo will not leave voluntarily, and (3) the Hopi Tribe won't accept lands outside the Joint Use Area in exchange.

Why does Congress let the Hopi Tribe establish these constraints ? The same staffer observed that Congress might reconsider these groundrules if the Hopi Tribe was seen as unreasonable. Finally the staff person noted that congressional protocol would probably still defer the matter to the Arizona delegation, which is controlled by Goldwater, DeConcini and Udall. The appropriations vote in September showed that thus far the Senate is unwilling to break with that protocol, which treats the issue simply as an "Arizona issue".

APPROPRIATIONS UPROAR

Senate offices were clearly shocked at the level of public outcry over the McClure appropriations bill. The expenditure is relatively small compared to the overall budget which Congress was trying to pass before start of the 1986 fiscal year on October 1. Several offices had no understanding of the relocation aspect of the appropriation, and did not know the Act itself was due for reconsideration by Congress.

In 1984 public pressure was focussed on the House Appropriations Committee, to withhold funding until the relocation program was investigated. The House approved the funding but called for a staff investigation also, the results of which were released in March [see "Excerpts" story, this issue]. Earlier this Summer the House Committee approved continuation of present spending levels by the Relocation Commission.

McCLURE'S BILL ILLEGAL ?

The McClure/Goldwater bill offended several offices for reasons beyond its attempt at a "quick solution" to this massive Indian Removal. First, it moves the remaining "problems", meaning the fundamental problem of Navajos refusing to leave their homes, directly under the authority of the Secretary of Interior.

The bill radically expands the B.I.A. role in the removal by specifically exempting the Secretary of Interior's activities from several federal laws, (including the Indian Self-determination Act, Indian Civil Rights Act, National Environmental Policy Act, Indian Religious Freedom Act and the Administrative Procedures Act).

This action is likely to be challenged because it appears to violate Congressional prohibitions against "legislating within an appropriations bill". In 1984 an attempt by Barry Goldwater to amend an appropriation bill was overturned because of a similar transgression.

Native American Rights experts also stated that the bill collides directly with U.S. trust responsibilities to Native Americans under the Constitution.

After the appropriations bill is voted on by the Senate, remaining differences between House and Senate appropriations will be referred to a "conference committee" made up of members of the House and the Senate to arrive at a final compromise before the bill goes back to the floor of both house.

RELOCATION ACT TO BE REOPENED ?

The heavy-handed maneuver by McClure and Goldwater signalled the initial shots in what promises to be a hard-fought battle. It is doubtful that they can resolve the relocation impasse within an appropriations bill, and the Reagan Administration has said it wants no forced removals.

When the Act passed Congress in 1974 there was consensus among the Arizona Senators and the senior Representatives in support of the Act. In 1985 there is not, and although DeConcini continues to hesitate to introduce an outright repeal bill, he has dug in against any "quick and dirty" solution. While Republicans control the Senate, the Senate may not let the issue slide by as simply an "Arizona issue". On the House side, the Interior Committee is headed by Democrat Morris Udall, who for years has sought to avoid reopening the Act.

EMERGENCY RESPONSE NETWORK FORMED

In anticipation of an attempt by the U.S. government to forcibly remove Navajo remaining on partitioned lands in the Joint Use Area, an "Emergency Response Network to Prevent Indian Removals" has been initiated.

The existence of the Network was announced in September by the Big Mountain Defense Committee in Flagstaff and the Big Mountain Support Group in Berkeley.

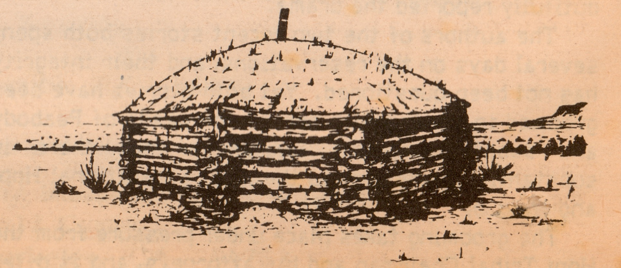
A stated goal of the Network is to secure commitments from as many as several hundred "brigades" of 4 - 6 persons each from throughout the U.S., each based in particular communities or organizations. The brigade organizing form is very similar to the "affinity group" structure commonly used by anti-nuclear groups, but differs due to the "accountability" of the brigades to traditional Native Americans.

A stated purpose of the Network is to "assure a peaceful solution which does not involve destruction of the traditional people, their culture, religion, spirituality or way of life".

The brigades will be matched up with particular camps, homesteads or other targets, based on each brigade's level of commitment and other constraints.

Organizers declined to estimate the response, but noted that the Annual Survival Gatherings, Treaty Conferences and Sun Dances have brought several thousand "outsiders" to Big Mountain over the past several years. Most of these people made some form of commitment to stop relocation. The Network is an attempt to coordinate this support for the traditionals in their struggle to remain on their land.

Additional information is available from Big Mountain Support Group/Berkeley or from the Big Mountain Defense Committee in Flagstaff.



Chairmens' Positions

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people know about it, but we have the same situation in Tolanee Lake, and in Teesto and other places around the JUA."

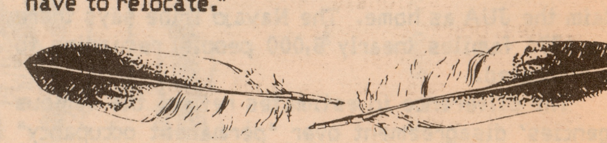
Asked his response to objections from some Navajo traditionals to paying rent, under the Clark proposal, Zah said "the rental agreement was proposed by Judge Clark, trying to come up with something that would allow the Navajo people to stay. I'm willing to talk about anything that allows for the people to stay."

A key stumbling block to the "rental" agreement on August 7 was day-to-day jurisdiction over the rented lands on which the Navajo would continue to live. Sidney insisted on Hopi Police authority, while the Navajo Tribe requested federal supervision. The Navajo are concerned about Hopi restriction of their sheepherding, and about the many violent confrontations over livestock that have occured with Hopi Rangers during the past six years.

The Hopi Chairman was clearly uncomfortable with perceptions that he was causing Reagan's negotiations to stall. At conclusion of the August 7 negotiating session at the White House he told Clark he would reach a decision by the 14th, and then requested an extension to the 21st. It was on the 21st that he declared the negotiations over, and in the following weeks tried to backpedal. On August 28th Sidney told the press "we only agreed to talk. We are not negotiating."

Sidney faces several problems if he compromises. This is a re-election year. In Hopi it is generally the "progressives", favoring land acquisition and minerals development, who vote. (A much larger number of traditionals continue to refuse to participate in the elections). Sidney is under pressure from other candidates to take a hard line against the Navajo.

While the Hopi Chairman clearly wants the present law pushed to completion in the next 9 months, the Navajo Chairman declined to call for repeal of the Act. Stating that "relocation should be halted", Zah claimed "there's a different way to accomplish the same thing (as repeal). Some people are advocating repeal, others are saying there should be a land exchange. Judge Clark seems to think we ought to have a rental agreement. If you put all of these together we should be able to come up with some solution to the whole problem so that people do not have to relocate."



TRADITIONALS REACT TO NEGOTIATIONS

Response to the Reagan Administration proposal by Navajo and Hopi traditionalists was consistent : both peoples rejected the "rental" option and insisted that nobody needs to be removed from the lands.

"I was born here", said Navajo Elder Sara Begay. "I will never pay rent. We are living peacefully."

"We were never taught to treat our land as property. We were also not to fight for our land. We were put between the four sacred mountains to live freely, not to pay rent," said Elder Navajo, Lady Wilson Nez.

"The Hopi traditionals want no part of this thing," said Thomas Banyacya, following meetings in mid-August at Second Mesa. "The Kikmongwi (religious leaders) will never settle with this. The only settlement they would accept is repeal of the Act. The people understand now that this is about more than relocation. Most Hopi were not aware when the law was passed."

Navajo traditionals marched to Window Rock following Zah's return from Washington, to protest his agreement to the rental proposal, which implies recognition of Hopi Tribal ownership of the contested lands. "This is my land," said Sara Begay. "Why should I pay rent to live on my own land ?"

A young Hopi traditionalist agreed, "we cannot take money for land. There is no difference between selling and renting the land. You can't do that."

Attorneys for the Navajo facing removal also denounced the rental agreement. "This is just a delayed removal," said Lew Gurwitz of the Big Mountain Legal Defense Committee. "Our position is that the people on the land should be allowed to remain on their home lands, and that all those other so-called voluntary relocatees should have the right to return to their homes. They should not have been removed in the first place."

Overall there seemed to be agreement between traditionals of both tribes that nobody should be relocated, and agreement that the two chairmen had no business acting in their names to rent or divide the lands of the Joint Use Area. The traditionals say they do not regard land as a commodity to be privately owned or traded. The most often expressed desire by both of these peoples is that the law be repealed.

Navajo-Hopi Unity Continues

"There is no fighting, no quarrelling among us like the propaganda coming out of Congress", said Hopi Moencopi resident Ezra Hongeva at a June 30 meeting in the Hotevilla Kiva.

One result of President Reagan's intervention in the so-called land dispute has been a drawing together of Navajo and Hopi traditionals in order to express their opposition to the Relocation Act.

KIVA MEETINGS

In late May, Hopi Elders met with Reagan's negotiator at the same meeting place where all the religious leaders met in 1948 to consider the Hopi prophecies in light of the Atomic Bomb. And in June, Hopi religious leaders invited the Navajo to a unity meeting in the Hotevilla Kiva, a most sacred meeting place to Hopi traditionals.

"There is no dispute between the tribes", said Big Mountain Navajo Elder Pauline Whitesinger at the Kiva meeting. "We're caught in the middle between the energy companies and the U.S. government."

"You can't take the home land away from anyone", said Hongeva. "It's all the Tribal Council, they're trying to get us away from our religion, our culture. They're trying to get us to live the white man's way of life", he continued.

SHARED CLANS, BLOOD

When William Clark's assistant Richard Morris came to Hopi he expressed a special interest in "intermarried" families. Many of the people's stories tell of bloodlines, clan histories and religious traditions shared among these two peoples, traditions unique to the Southwest.

"What do I do with my grandchildren ?" asked Hongeva, whose son is married to a Navajo woman. "Do I hang them up on the barbed wire ?" His question was supported by Big Mountain Elder Roberta Blackgoat, who asked "how are they going to divide blood by a fence ?"

Is it even possible to divide Navajo and Hopi ? Traditional Navajo and Hopi say its not. Pauline Whitesinger told the gathering in the Hotevilla Kiva how both people's stories tell of them emerging from previously destroyed worlds.

"The Navajo were told, as long as the Hopi live, we will go with them, and as long as the Navajo live, the Hopi will go with them. If one tribe is destroyed, then the other tribe will also be destroyed. If the Hopi should go, then we will all go."

"WE WERE NEVER TOLD"

There were also strong feelings that most Navajo and Hopi were never informed about the Act, either before it was passed, or since. "There were no Hopi or Navajo around when they passed that law", said Mae Tso of Big Mountain.

"Many people don't understand what the relocation law will do to us", noted Hopi interpreter Thomas Banyacya, who participated in the 1948 meetings at Hopi. Ezra Hongeva agreed, "we're only beginning to realize the dangers of the law."

While the traditionals of both tribes agree that the real "dispute" is a fight over minerals and energy resources, they also note that the Act has itself caused division and suspicion.

"WE WILL NEVER ACCEPT THIS LAW"

Mr. Sewemaenewa stated that "we must look to the land as land of all Native people. As individuals we will never accept this law. The law is not a way of life for us. It will only destroy us."

Thomas Banyacya continued, "Genocide will be brought upon us if this bill is forced upon us. In this land of freedom, the United States, the whole world will look on the government and see what they have done to us."

DISINFORMATION...

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The split is seen as aggravated by corporate pressures.

While these alternative realities are not completely mutually exclusive, choice of one over the other does determine "what can be done" about the current impasse, which may culminate in a massive Indian removal next Summer.

The first version ("Navajo-Hopi dispute") works best for the energy companies and the pro-development Hopi Tribal Council, while the second version ("coal versus the traditionals") challenges the legitimacy of the partition and removal. The Act was passed based on the first theory.

Main features of the Times and Newsweek coverage :

1. Coal and energy companies are not mentioned even once.
2. Both recount historical problems between the Navajo and Hopi people.
3. The U.S. government is a not a party to the dispute, and mainly wants to see it resolved.
4. Destruction of traditional culture, at least that of the Navajo, is portrayed as an unfortunate side-effect of settlement of the "dispute".

PSYCHOLOGICAL OPERATIONS

U.S. intelligence manuals for "psychological operations" describe in detail basic techniques for effective propaganda. Such operations were used intensively in Chile in the early 1970s to destabilize the Allende government. (Several critics have characterized the relocation program as an effort to destabilize and overturn the traditional culture and economy of the Southwest.)

A fundamental propaganda technique is the intentional blurring of the roles of key actors, by either leaving them unmentioned, or characterizing them vaguely and attributing little or no role or motivation to them.

The cast, though not necessarily the roles, of potential characters in this Southwest drama is known to any reporter who makes even a cursory survey of the dispute : Navajo and Hopi, Tribal chairmen, traditionals and progressives, coal companies, power companies, Department of Interior, B.I.A., federal courts, president. Specific names are easily determined such as John Boyden, Harrison Loesch, and so on.

When a journalist decides to omit certain actors from the portrayal of the situation, the reporter is making an important and exact decision as to the role of those actors.

For instance, both Newsweek and the Times decided that the role of Peabody and other minerals companies was not relevant to the current situation. Both stories place only Navajo and Hopi on stage. Given that cast, how else can the reader understand the dispute other than Hopi against Navajo ?

Even when the Newsweek story sympathetically portrays the tragic consequences of the removal, it does not give the reader any choice at all regarding "why" the people are being removed, nor about alternatives to the removal. The story's initial frame of reference is a description of the Navajo as "surrounding" the Hopi with their "ubiquitous sheep" so that they "dominate the land", so that finally "the Hopis complained". Newsweek's prognosis is that "Indians will surely battle each other unless Washington can help them find a peaceful settlement."

Newsweek's "frame" is identical to the portrayal written in the early 1970's by Evans and Associates on behalf of the Hopi Chairman for distribution to customers of WEST, the consortium of utitilies and energy companies. It is the only frame Newsweek will allow on the news stands.It contrasts drastically with the Hopi and Navajo traditionals own version of their mutual history.

WHITE JOURNALISM ?

What can be concluded when all the white corporate actors are left unmentioned ? Is there more going on here than simply the fear of libel suits ? Are the Indians once more being studied by white experts ? Are the victims being blamed again ? Why won't the white media take a hard look at the racial dimension of the dispute ?

INVISIBLE TRADITIONALS

The Times reporter claims he attempted to investigate the "alleged" split between Hopi traditionals and their Tribal Chairman. He has also admitted, however, that he permitted a Hopi Tribal official to select the traditionals whom he interviewed. Thus he wrote a story which acknowledged the existence of "the traditionals", but let a Mormon from First Mesa be their voice, a voice directly contradicting the repeated public proclamations of the religious and traditional leadership at Second and Third Mesas.

INVISIBLE COAL COMPANIES

Several serious studies and investigations of the minerals companies' domination of Southwestern Indian Affairs have been published [Cahn, 1969, 1982; Josephy, 1972; Panistch, 1974; Indian Law Resources Center, 1979; Clemmer, 1978 and 1981; Churchill and LaDuke, 1985; Redhouse, 1985]. But, of these only the 1974 Panitch investigation ran in the national media, buried in Section C of the Washington Post.

The pro-removal version of reality is playing all over town because the pro-removal interests are firmly entrenched in positions that control the information and its framing. Representing the Hopi Tribe and the Relocation Commission (a U.S. agency) on the p.r. front are John Paul Kennedy and Harrison Loesch, respectively. Both have well documented "past" connections to Peabody, Kerr-McGee, Fluor, Bechtel, the B.I.A. [see "Good Old Boys" story, this issue].

NAVAJO TRIBE HAS NO STRATEGY

On the anti-removal side the Navajo facing removal have hardly any resources to support information dissemination. The Navajo Tribe itself has no discernible p.r. posture or strategy, or even an understanding of how it is losing the propaganda war which is presently in high gear. As in the early 1970s there is almost no comparison between the p.r. efforts of the Tribes. The "small" Hopi Tribe is geared for action and is miles ahead of Navajo Chairman Peterson Zah

The question remains as to why the minerals and energy companies are invisible in the national media. Fear of lawsuits is one reason, and several reporters have indicated an aversion to conspiracy theories. Confronted with documentation, congressional rosters and testimony, showing the roles of Peabody, WEST and others, the reporters often respond "that's just business. That's legal," and thus not newsworthy.

GENOCIDE AS USUAL

An atrocity equal to the massive Indian removals of the 1830s is occuring in 20th century America, and the press has at first ignored it, then lamented it, and finally dismissed it as business as usual.

CAN RELOCATION WORK?

WHAT CONGRESSIONAL INVESTIGATION SAYS

On March 25, 1985 the House Appropriations Committee released its staff investigation into the relocation program, authorized as part of the 1985 Appropriations Bill. The Committee also released the Relocation Commission's comments on the investigation, and the staff response to those comments. Although the investigators were constrained from evaluating the feasibility of the overall relocation program, several of the Report's findings, and the responses to those findings, are informative :

"It has now become clear the Commission will not be able to complete relocation by the 1986 deadline and, in the meantime (the program) has resulted in what critics describe as intolerable living conditions for the Indians awaiting relocation." (page 4)

Regarding possibility of relocating within the Navajo Reservation, "the present Navajo Reservation is already overcrowded and overgrazed, homesite leases are difficult to obtain." (p5)

"The difficulties of obtaining homesite leases, combined with the poor living conditions, force familes to move off-reservation no matter the given slim chance of success." (p21)

"Fraud is a reality...a symptom of the problem. Relocatees are not (re)selling (their relocation homes) because of fraud; rather they are being defrauded when they sell...relocatee Indians are ill-prepared to move off reservation...The Staff was told by various agencies that the Commission does not adequately prepare the relocatees to move successfully to a foreign environment." (p16).

"The Commission has never been able to implement its counseling programs (premove or postmove)" (pii), "the Commission's housing program is a hit-or-miss process." (pii). "The Commission's postmove counseling program is virtually nonexistent." (p21)

"No amount of counseling would enable them (the more traditional families) to successfully adapt to urban life." (p17, Commission response).

Is Congress being kept informed about the outcome of the relocation program ? "The Commission has very little information on what happens to families after relocation." (p22) Investigators found the Commission's reports "contradictory" (p11), and noted that "individuals familiar with the Report revealed a considerable amount of skepticism (about the Reports' accuracy)" (p10). This skepticism was shared by "one of the Commission's own Commissioners" (p8, Response).

Does the program even make sense on paper ? "The Commission goals appear to be in conflict...The Commission's senior officials could offer no explanation for the apparent conflict" (p37)

Can relocation work ? This was the first investigation of the entire relocation program. Not allowed to draw overall conclusions, the investigators noted: "The less acculturated relocatees...have no logical place to go".

WHAT THE EXPERTS SAY

Projects such as mines, dams and roads have triggered the "resettlement" of rural indigenous populations all over the world. In studying the resettlements, trained academics have found:

"Small settlements of indigenous Native groups...forced to leave their homes, many are unable to prevent, avoid or control the distress and succumb in a number of tragic ways", reports psychologist Joseph E. Trimble.

Such findings worldwide appear to be confirmed by studies addressing the planned Navajo removals:

Such removals are literally life-threatening, with drastically increased rates of alcoholism and mental illness, concluded Professor Thayer Scudder (Cal Tech) in 1981.

As a result of 1972 decisions, the U.S. mandated the relocation of 100 Navajo families from within the Hopi reservation boundaries. 15 of those families were studied, revealing that 25% of the adult population had died within a few years and half the families had been broken by death or divorce.

"Loss of land, loss of even access to land, from fencing, stock reduction and forced relocation results in severe disorientation. Loss of the land is the loss of access to highly abstract oral teachings...loss of access to sacred places will make impossible many ceremonies (which) are the formal teachings of complex heirarchies of knowledge," reports Mark Schoepfle in an EPA sponsored "Study of Navajo Perceptions" in 1981.

WHAT THE PEOPLE SAY

The Dineh (Navajo) people facing removal have directly experienced the trauma of relocation:

"I was dying because I missed my land so much. I discovered that a person can or will die if he or she is removed from his or her land. I came to realize that the same land that I left was grieving me to death...my children said 'we now realize it is not good to live without sheep'. That was the main reason I was dying of loneliness," testified a 46 year old relocatee who abandoned her relocation house and returned to her home.

"We felt very bad about relocation. We lost my father, mother and sister and my daughter too (all dead within 6years). They worried and their minds went kind of bad. They wandered off with no place to stay," testified another relocatee.

"The life that I led there was a great pleasure to me and I was happy and my heart was happy. Afterward a boundary line was made...I am still very full of grief and it causes me to walk with grief at this time of the night. It causes me to be sick continuously as I live on," reported another relocatee.

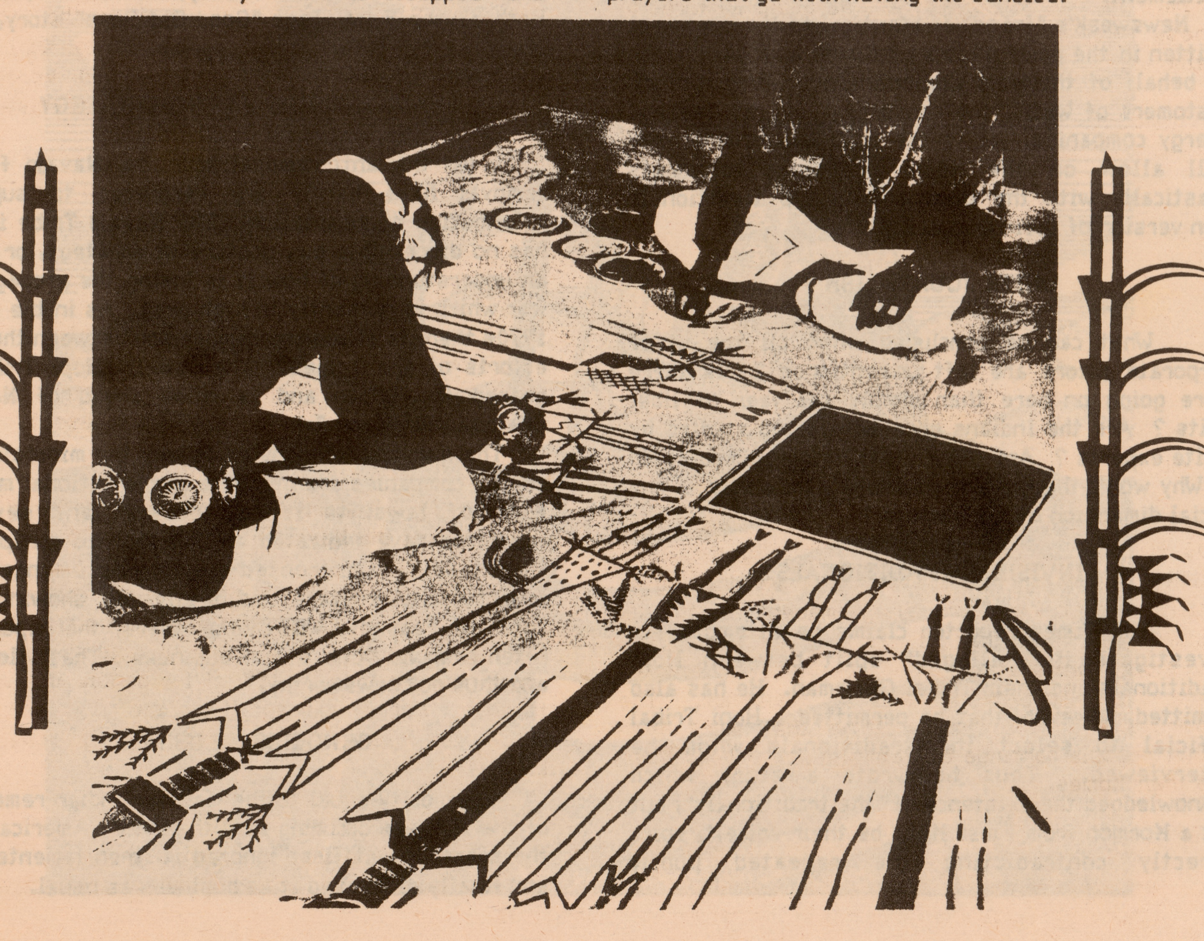
"In our traditional tongue there is no word for relocation. To move away means to disappear and never be seen again," says Pauline Whitesinger, Big Mountain Elder.

"What relocation means to us is the relocation of the minds of the people, relocation of the spirit which once was Dineh. The final step in relocation is physically removing the people. They take them out and let them die, like a tree without roots," explains Bahe Kadiniihii, of Big Mountain.

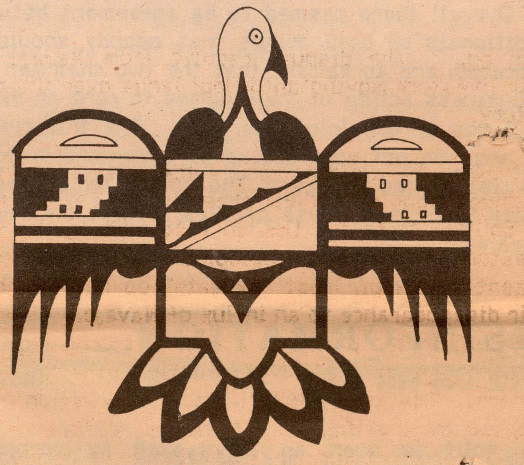
"The white man does not understand that the Indian is bonded to the land, and cannot be treated as parcels to be distributed like the U.S. mail", says Askie Betsie.

Sarah Begay tells of her mother who "does crystal ceremonies for people who come to her when they're sick. From that she realizes the effects of the relocation on them and their physical health. She has these sacred medicine bundles--they're mountain soil. She will never have these bundles untied.

"To move out and relocate means that you are untying those bundles, and that cannot be, because you cannot carry the mountain soil bundles outside the boundary of the four sacred mountains and the rainbow that surrounds that. That is her strength--what she knows, the songs and the prayers that go with having the bundles."



> Do not misunderstand me, but understand me fully with reference to my affection for the land. I never said the land was mine to do with it as I chose. The one who has the right to dispose of it is the one who has created it. I claim a right to live on my land, and accord you the privilege to live on yours.
>
> **Chief Joseph**



IS IT LEGAL?

Mass relocation of Indian people under P.L. 93-531 has been the subject of numerous lawsuits and tribunals; even the Reagan Administration has condemned Indian relocations elsewhere in the world. Some findings:

1. The present relocation program violates P.L. 93-531 (the Relocation Act) itself, according to several federal lawsuits filed in U.S. Claims Court on behalf of relocatees. The Act requires that relocatees be provided with safe and sanitary replacement housing, and that "adverse social, cultural and economic impacts" be minimized. These same federal suits also claim that the U.S. (Relocation Commission) has violated contracts signed with relocatees under the program.
2. The relocation program violates U.S. government trust responsibilities according to suits now at the U.S. Claims Court in Washington, D.C.
3. In 1980 the Fourth Russell Tribunal found that the relocation program violated the 1948 United Nations "Convention on the Prevention and punishment of the Crime of Genocide", and therefore constituted the crime of genocide.
4. In 1981 the Traditional Kikmongwi and Religious Leaders of the Hopi Nation delivered a statement to a United Nations (NGO) Conference on Indigenous Peoples in Geneva. The Hopi maintained that removal of the Navajo people violated several provisions of the 1848 Treaty of Guadalupe Hidalgo, in which Mexico ceded the Southwest to the U.S., and asked "the United Nations for a full investigation of these matters."
5. President Reagan, Alexander Haig and Jeane Kirkpatrick have denounced forced removal of Indian people as "more massive than any other human rights violation that I'm aware of in Central America today", as "atrocious genocidal actions" and as "deplorable". They were discussing a smaller removal (8500 Miskitu Indians in Nicaragua) and failed to note that international law provides for mandatory relocations in war zones. Perhaps the U.S. government simply failed to declare war in the Southwest, before engaging in similar removals.

IS RELOCATION NECESSARY?

WHY PARTITION THE LAND?

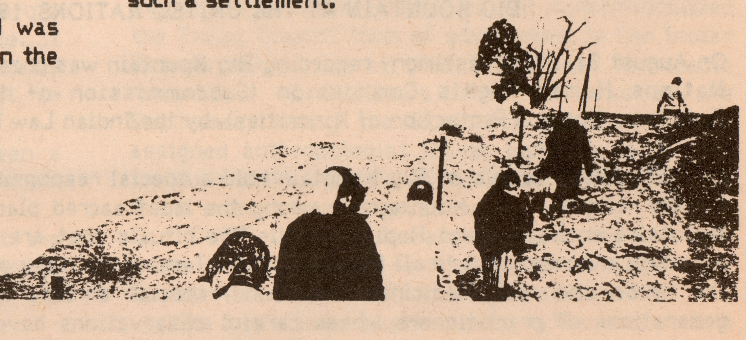
The legal rationale for removal of more than 10,000 Navajo from the Joint Use Area depends on three key assumptions, (1) coal and other leases require that "title" to these minerals-rich lands be "quieted", (2) clearing the title requires 50/50 (Navajo/Hopi) partition of the JUA, and (3) partition requires removal of people on "the wrong side of the fence". Much Congressional discussion erroneously attributes the 50/50 partition requirement to "court decisions".

In fact the courts, including the U.S. Supreme Court, have consistently held that they cannot require partition of the lands. The 1962 Healing-Jones decision even described a possibility that both tribes could "jointly administer" the lands, and consequently designated them as the "Joint Use Area". During the 1974 Congressional deliberations Morris Udall tried to clarify for the House that partition was not required by the court decision.

Only Congress was able to require partition, and hence relocation. Congress granted partition and relocation in response to demands by lobbyists from the Hopi Tribe and Peabody. What made partition and relocation "necessary" was simply the Hopi Chairman's desire that 1500 square miles of Joint Use Area land on the Black Mesa be cleared.

Former Navajo Chairman Peter MacDonald was fond of noting that no other Indian land claim in the U.S. was ever settled by removing people from the contested lands. He also noted that such a settlement in any of the other hundreds of Indian land claims would have required relocation of White people. There is a racist double standard being applied, he charged.

The Navajo Tribe has offered to settle this "dispute" according to normal Indian land Claims Commission procedures for the last two decades, by providing monetary or material compensation, but the Hopi Tribe's attorneys have refused to accept such a settlement.



MYTH-CONCEPTIONS

Passage of P.L. 93-531 was aided by the prevailing belief in several key misconceptions. Now in 1985 dozens of Congressional offices have "responded" in writing to inquiries from their constituents. Review of these responses reveals several misconceptions, most of them common to the 1974 debate. Unless Congress re-evaluates its key assumptions, the present tragedy can only grow worse.

Myth no. 1: There is a land dispute between the Navajo and Hopi people.

Fact: There is a dispute between the Tribal Chairmen ond attorneys for these two Tribes, a dispute over legal title to the land, minerals and water rights and future development plans. That dispute has been bred and fed by the same attorneys, serving extremely conflicted interests, since 1946.

The religious and traditional leadership of the majority of the Hopi people insist there is no dispute with the Navajo living on the contested lands.

Myth no. 2: The dispute results from Navajo and their livestock moving onto Hopi lands over the past century.

Fact: The Navajo now occupy the same lands they occupied, along with their sheep, when Mexico ceded the Southwest to the U.S. in 1848. While the Hopi ancestors, the Anasazi, occupied a wider area than present day Hopi, most "experts" do not attribute their disappearance to an influx of Navajo.

Both Indian peoples have been crowded by the encroachment of the U.S. population into the Four Corners. The tiny 1868 "Navajo reservation" was invented by the U.S. to rationalize release of the Navajo from Fort Sumner, following their removal in 1864 from the lands they occupy today.

Myth no. 3: In 1882 a reservation was established for the Hopi under Executive Order by President Arthur.

Fact: The 1882 "reservation", which includes the 1.8 million acre "Joint Use Area", does not correspond at all to Hopi use and occupancy. It is exactly one degree longitude by one degree latitude and completely excludes one village. Its purpose was to establish a "border" so that two White "troublemakers" could be evicted from among the Hopi. They were immediately removed.

Myth no. 4: The Tribal Chairmen are popularly elected representatives of a majority of their people.

Fact: Hopi "voter turnout" is miniscule, typically 10-15%. All the litigation and legislation for relocation have originated with the Hopi Tribe and its attorneys. The low Hopi voter participation reflects a deep cultural abhorrence for voting and suppression of minority opinion.

Hopi "elections" consist of a tiny minority, an elite clique of Mormon men, voting for themselves. The Reagan Administration would denounce the leadership chosen by such a low voter turnout as a "sham" if, for instance, it was the Sandinista government of Nicaragua.

Myth no. 5: The Hopi have been denied access to their lands. Only partition and relocation will allow them access.

Fact: The only access which has been obstructed has been that of large scale cattle ranchers such as the Sekaqueptewas, and the mining interests. The Hopi Chairmen have admitted that most Hopi do not want to live on the lands and that they (the Chairmen) have minerals development plans for the lands. The Navajo and Hopi traditionals oppose these development plans.

Myth no. 6: The Courts decided that the land should be partitioned, with 50% going to the Hopi Tribe.

Fact: The courts have consistently said that they cannot decide whether or not to partition the land. In 1963 the Supreme Court confirmed that the two Tribes had a joint interest and might jointly administer the lands. It was this court decision which coined the term "Joint Use Area". The 1977 District Court decision confirmed the location of a partition line which had been established under criteria set by Congress.

Myth no. 7: The partition and relocation program does not benefit one Tribe's minerals development plans over another, since both Tribes split the royalties regardless.

Fact: Access to minerals, terms of leases and water rights are determined by surface rights such as rights-of-way and easements (roads, water, power lines). Tribes controlling surface rights also control taxation of the minerals, and overall enjoy a much higher degree of negotiating leverage.

Myth no. 8: "Simple repeal" of the Act would result in a legal quagmire as existed prior to the 1974 Act.

Fact: The quagmire has never let up, as the Hopi Tribe's lawyers have filed dozens of lawsuits despite the stated wishes to the contrary by the White House, Congress and the Tribal Chairmen themselves.Proponents of repeal primarily want the partition and relocation provisions of the Act repealed, and are willing to have an "amended" Act resolve title questions and reparations for the Hopi, who were ripped off by the 1882 decree.

Myth no. 9: Main obstruction to successful completion of the relocation program has been Navajo intransigence.

Fact: More than 3,000 Navajo have tried to move, and at most 100 Hopi. Investigations show that between a third and 80% of the relocatees have either lost their homes or are on the verge of losing them. The massive failure and hardship suffered by these people indicates good cause for Navajo reluctance.

Myth no. 10: The Relocation Commission has already moved several thousand people under P.L. 93-531.

Fact: The statistics above (Myth no. 9) show the most prevalent documented result has been failed relocations. Such a failure rate violates requirements of the Act itself, and the House investigation found that the Commission doesn't really know what happens to relocatees after they are first moved.

Myth no. 11: Only 65-100 families actually remain to be moved, in and around the Big Mountain area.

Fact: A recent canvas in Teesto showed more than 200 families in that area, far from Big Mountain, alone. Advocates of a low estimate are drawing an artificial distinction around "permanent" residents, ignoring the fact that 11 years of relocation and livestock confiscation have completely disrupted even the temporary patterns of residency. The Commission's own figures show that more than 10,000 people continue to claim the partitioned lands as their homes.

Myth no. 12: The relocation program can be reformed and made to work.

Fact: Several investigations and international experts have found that such traditional and subsistence level people cannot "make the adjustment". All attempts at such moves result in a sizable proportion of relocatees suffering "premature" deaths due to a multitude of causes. Administrative reforms, improved "counseling" and prolonging the program cannot change this fact.

Myth no. 13: Navajo "life estates" or "rental" of Hopi lands could relieve the hardship on elders facing removal.

Fact: Extended inter-generational families and sheepherding is the core of the way of life for these people. They literally cannot survive as tenants, nor without the ability to hand down their hogans and herds from generation to generation. This is why they refer to life estates as "death estates", since such estates are defined in terms of the death of the head of the household. All "rental" proposals would leave the people to starve among the coal mines.

Myth no. 14: Relocation can be completed without violence or bloodshed.

Fact: Several hundred Navajo families from throughout the JUA who are facing relocation have never wavered from their position that they will resist by all necessary means any attempt to remove them. These most vocal resisters may be joined by several thousand others who will stand with them when the troops come.

Over the past 6 years an international support network has formed which can be expected to put more than a thousand non-Indians on the land in the face of any attempt to forcibly remove these people. U.S. government use of force can be expected to cause a violent outcome.

Myth no. 15: Congress dealt with this issue in depth in 1974 arriving at the hard-fought compromise represented by the Act.

Fact: While fighting was energetic in the Interior Committees, Congress was distracted by Watergate and deferred to the Arizona delegation, especially Senators Goldwater and Fannin, Representatives Udall and Steiger.

The Hopi Chairman at the time of passage of the Act was an old family friend of the Udalls as well as a fellow Mormon Church member. Steiger and Goldwater suffered from near pathological hatred of then-Chairman of the Navajo Tribe, Peter MacDonald.

The issues are clearly much more than "Arizona issues". The 1974 Act was a short-sighted attempt by the Arizona delegation to accomodate a legalistic maneuver to settle minerals and water rights on the Black Mesa. The result is the present tragic impasse.

Myth no. 16: A majority of Hopi favor the Relocation Act and want the Navajo removed.

Fact: Traditional Hopi reject even the concept of a majority. The faction within Hopi that subscribes to the idea of majority rule regularly hold elections, at which no more than 10-15% of the people are willing to vote. Nobody can speak for the majority - this fact is the essence of Hopi tradition and respect for diversity.

This survey is admittedly cursory. For a more comprehensive annotated disussion write to the Big Mountain News for "Land Dispute Myths". A donation of $2 would cover costs. Readers are invited to ignore our facts and investigate the record for themselves.

BIG MOUNTAIN & HOPI AT THE U.N.

In 1981 delegations went to the United Nations on behalf of the Hopi and on behalf of Big Mountain Dineh (Navajo). The testimony was delivered at two separate conferences. While the statements were quite different, their call was the same : an end to U.S. intervention in the shared life and land of the Navajo and Hopi people in the Southwest. Both people share an understanding of the U.S. recognized Tribal Councils. The Big Mountain presentation elicited the first recorded official U.S. response to charges of illegal intervention in Native American affairs.

BIG MOUNTAIN: It Will Destroy Us

BIG MOUNTAIN AT THE UNITED NATIONS, 1981

On August 31, 1981, testimony regarding Big Mountain was presented to the United Nations Human Rights Commission (Subcommission of the Prevention of Discrimination and Protection of Minorities), by the Indian Law Resources Center:

"The Dineh people of Big Mountain hold a special responsibility in traditional Navajo religion. Big Mountain is among the most sacred places in the circle of mountains in Navajo and Hopi country. The rituals that are maintained on this mountain are important to all Navajos. There, among the maze of vegetation, where the herbs and root medicines are found, special shrines have been built by generations of practitioners whose careful observations have informed them of patterns and cycles which need periodic attention.

"These shrines are tended with songs and prayers which are the basis for the ceremonies that are practiced among the healers and spiritual elders...It is said that these are grounds where the deities convene, when they are called upon. It is also believed that these are places where spiritual beings converse and consult so that the special balances of nature are preserved and maintained for those generations who have yet to become a physical reality.

Big Mountain, from its origin, is a place of special combination of nature and humanity. Both the traditional spiritual elders of the Navajo and neighboring Hopi believe that Big Mountain is Holy Ground.

"These traditional Indian beliefs and practices were established on this land before the United States of America was ever conceived. And now the U.S., by relocating these people, is callously suppressing ancient religious practices. The relocation program threatens to destroy an ancient Indian religion ...

"Away from Big Mountain, the central holy place of the traditional Navajos, it would be impossible for the people of the Dineh Nation to attend to their religious duties.

"The land, the people, the religion and the livestock are all so closely intertwined that to the Dineh people, they are all one. If the Dineh are forcibly removed from Big Mountain, they will die as a people, their culture will disappear, and their religion will be destroyed.

"The U.S. has been interfering in Navajo and Hopi affairs for more than a century. By creating, reviving, and maintaining the Hopi Tribal Council...the U.S. established in recent decades the framework for attacking the traditional Navajo people. The Hopi people themselves have never consented to the Hopi Tribal Council form of government.

"The so-called 'land dispute', which the partition and relocation plan ostensibly resolves, is in reality an attack by the U.S. and its own Hopi Tribal Council against the traditional ways of the Dineh and Hopi peoples. The so-called dispute is not a disagreement between the traditional Hopi and Navajo people. The traditional Hopi spiritual leaders are categorically opposed to the partitioning and relocation program."

HOPI: Relocation Violates Treaty

HOPI AT UNITED NATIONS, 1981

In September of 1981 a delegation of Hopi attended a special United Nations Non-governmental Organization (NGO) Conference on Indigenous People and the Land in Geneva, Switzerland. Following are portions of their testimony.

"The Native people of America now wish to focus the eyes of the world on the 1848 Treaty of Guadalupe Hidalgo. This treaty was signed and ratified at the end of a terrible war between two invading governments---the united Mexican States and the United States of America. Both invaded the ancient homeland of the Native people living in the American Southwest.

"The 9th Article of the United States Constitution states that treaties are to be the 'supreme law of the land', equal in power to the U.S. Constitution...The Hopi did not make these rules, but we are asking the world community to encourage the United States government to honor their own laws.

"We have tried in every way to get the U.S. to correct these violations against the Native cultures, lands and religion, but at last we must turn to the United Nations to look into these unjust conditions.

"In regard to the rights of self-determination and religious freedom, the treaty states that the people :

> ...shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

"(Another) part of the treaty applies to the relocation of native people, such as the U.S. government is now attempting to impose on the Dine'(Navajo) and Hopi people at Big Mountain. The treaty promises that:

> ...special care shall be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

"We call upon the United States and the so-called Tribal Councils to restrain themselves from invading Big Mountain, and to take special care in allowing the traditional people to remain in their homes."

U.S. RESPONSE: Ducks Charges

U.S. RESPONDS TO ACCUSATIONS AT U.N. COMMISSION

The U.S. response,(given verbally), to the Big Mountain case, reveals a cynical use of language and also the essence of the legal fiction behind which the U.S. hides :

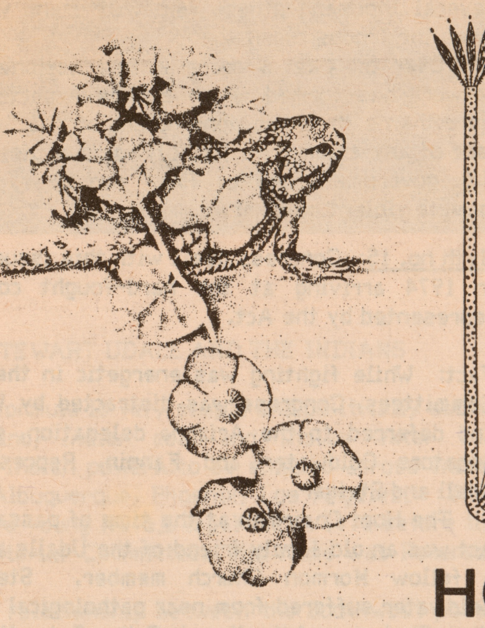
First the U.S. representative characterized the Big Mountain testimony as having "touched on the matter of property rights". He then confirmed that "American Indians can own property".

Regarding origins of the Relocation Act: "the two Nations, Navajo and Hopi, have not always gotten along well together...there have been, in fact, a great many disputes...over the use of the 1.8 million acres we are talking about...The two Indian nations tried for 11 years to agree on...the joint use arrangement..."

Disputes between whom ? The Tribal Councils. What of the origins of the Tribal Councils ? "In the 1930's...a majority of Hopis who voted said yes...they wished to be governed by democratically elected councils...The U.S. government deals with this council." (emphasis added.)

"Speculation about the intention of coal companies is nothing but conjecture...no evidence has been introduced to support this assertion."

"There is no threat to anyone's religion in the United States."



This we know: the earth does not belong to man; man belongs to the earth. All things are connected. We may be brothers after all. We shall see. One thing we know that the white man may one day discover: our God is the same God.

You may think that you own Him as you wish to own our land; but you cannot. He is the God of man, and His compassion is equal for the red man and the white. The earth is precious to Him, and to harm the earth is to heap contempt on its creator.

Deer Dance of Zia Pueblo. Painting by Vedine Shije Herrera

HOPIS CALL FOR REPEAL

On March 4, 1985 the traditional and religious leadership of Hotevilla issued a statement which reads, in part, as follows :

"We, the undersigned Initiated Hopi traditional and religious Headmen of Hotevilla Pueblo, on behalf of our hereditary KIKMONGWIS...present to you our most urgent request that...you take immediate steps to bring about a total repeal of Public Law no. 93-531.

"This genocidal legislation was made into law by Congress and signed by the president of the United States without our knowledge, consent nor approval; therefore, we the traditional and religious Leaders considered this Bill as a total violation of our sovereign rights, the Civil Rights Act, The Religious Freedom Act, the Guadalupe Hidalgo Treaty of 1848, and the Declaration of Human Rihgts of the United Nations.

We feel strongly that many White Americans and their leaders have recognized the need for repealing this evil bill. We have in our hands many petitions from many White people across this country and across the great waters demanding this bill be repealed.

"There was no need for this bill as we, the grass-root people of both Hopi and Navajo, all know there was no fighting, quarreling, nor warfare taking place in our homeland.

"As Initiated Hopi members of Wuwuchim and Kachina Religious Order, knowing our ancient spiritual instructions, warnings and prophecies, we see this as merely a political conflict between Hopi and Navajo Chairmen, that was instigated and promoted by the Bureau of Indian Affairs after they quickly set up the so-called Hopi Tribal Council and placing them in the hands of the Secretary of the Interior, who in turn used them as a tool to begin mineral resource development with the aid of the Multinational Corporation.

"The B.I.A. pressured the so-called Hopi Tribal Council to hire Mormon attorneys to bring about leasing of Hopi and Navajo homelands for minerals resource development. It is for this reason that this P.L. 93-531 was passed in Congress...

"The traditionally established Hopi Pueblos of Hotevilla, Shungopavi, Mishongovi, Moencopi (Lower) and Oraibi have never accepted the so-called Hopi Constitution which Oliver LaFarge has drafted for the B.I.A., never signed Contracts of attorney John S. Boyden, and up to the present time never recognized the so-called Hopi Tribal Council. They do not represent our hereditary KIKMONGWIS and our traditional Hopi Pueblos. As Hopi traditional elders we would never support the Relocation Program...

"In the past and even now our voices against this Bill have been distorted and often suppressed in the news media by those who are supporting this and other unwanted bills.

"We (may) call for a mass meeting...so that all people have a better understanding of this unwanted bill which has been the cause of confusion, misunderstanding, sickness and death among many of our Original Native People. This must end now !"

Building the NET and making it WORK

LETTER WRITING

535 LETTER WRITING CAMPAIGN TAKES HOLD

Hundreds have committed themselves to challenging Congress to take a stand on Public Law 93-531. The national "535 Campaign" is an effort to coordinate the level of letter writing, so that each of the 100 Senators and 435 Representatives in Congress are in communication with their constituents regarding the massive Indian removal now underway in the Southwest. The basic approach is for individuals in each of Districts represented by these 535 Congresspeople to take responsibility for writing letters, following up with phone calls, meetings and so on, in order to get their representative to take a position, and to correct that position if it is in error.

Repeal is not a popular idea in Congress. These offices need to be made aware that (1) the relocation program just plain can't work, regardless of whether one agrees with it or not, (2) that the controversy over this issue is a national concern and should not be routinely deferred to the "Arizona boys", (3) solution to the land dispute (if there is one) by removal of these people implements a racist double standard never before applied to an Indian land claim, (4) the removal would put thousands of Native Americans on the welfare rolls, at a cost now estimated to exceed 1 billion dollars as opposed to the intial estimate of $29 million dollars, and (5) 11 years after passage of this Relocation Act, there is still "No Place to Go" for these thousands of Navajo. Check the NEWS for other relevant information.

The committees targeted in this letter writing campaign are the Senate Select Committee on Indian Affairs, the House Interior and Insular Affairs Committee, the Appropriations Committees of both houses and the Interior subcommittees of both appropriations committees. Whether or not your representative is on any of these committees, all the issues will go to the floor of both houses. If your representative is not on one of the key committees, ask him/her to take the issue up with members of that committee.

We have found that most Congressional offices are inclined to respond to constituent letters with a form letter summarizing the situation - usually inaccurately, thanking the letter writer and promising to stay in touch. In order to get beyond this response it is best to ask specific, direct questions that require an individualized response.

Letter writing does work, especially if we follow up on the letters. There is no doubt that the Relocation Act will be before Congress from now until next summer, at least. This is undeniably a situation in which education can result in a change in the law, especially now that there is a clear and overwhelming preponderance of evidence that the relocation program just plain can't work. The law can be repealed if there is enough demand from the public.

The wrongs been done
by greed
some call greed whiteman
for he brought it
some call greed the machine
for it is worshipped
some call greed imperialist
attempted political disassociations
some call greed money
the magnificent obsession

Call for Support

Millions of Americans have become aware of the relocation effort in recent years and thousands have written us wanting more information and offering to help. Over the past 6 years a nationwide network of support groups has formed. These Americans for a safety net for the Dineh people, watching how they are treated by our government and working to shape the policies of our government.

TUCSON/Casa Maria 401 E26th Tucson, AZ 85208
Univ. of Arizona/BMSG 1005 N Arizona Ave. Tucson, AZ 85705
Native American Support Group PO Box 8260 Santa Cruz, CA 95061
BERKELEY BMSG 1412 Cypress St. Berkeley, CA 94703
CHICO (Geane Dunning) Box 4444 Chico, CA 95927
Sonoma Co Native Support Box 809 Cotati, CA 94928
EPIC Box 377 Garberville, CA 95440
Mendocino Big Mtn Tsk Frce Box 1063 Mendocino, CA 95410
San Jose Peace Grp 520 S. 10th Street San Jose, CA 95112
Santa Barbara BMSG Box 65 Santa Ynez, CA 93460
Los Ang. BMSG 1354 W. Washington Blvd Venice, CA 90291
Ventura BMSG 100 Harding Ventura, CA 93003
Weed BMSG (Janet Bilden) 335 E. Lake St #3 Weed, CA 96094
Boulder BMSG Campus Box 146 Boulder, CO 80309
Indig Wk Grp/BMSG 1310 College Ave #1044 Boulder, CO 80302
Durango BMSG 404 E. Park Ave Durango, CO 81301
Este-Omzilka Support Grp 1360 Febway Cr Decatur, GA 30030
Chicago BMSG 155 N. Harbor Dr #2307 Chicago, IL 60601
Merrillville BMSG 5970 Fillmore Pl Merrillville, IN 46410
Survival Network/BMSG Box 6130 Kansas City, KS 66106
New Orleans BMSG Box 70313 New Orleans, LA 70117
Boston BMSG Harbor Campus Boston, MA 02125
New England BMSG Box 8045 Boston, MA 02114
Eastern Mass BMSG 35 Fairlee Rd Waban, MA 02168
Union BMSG(Barbara Robidoux) RD 2 Box 334 Union, ME 04862
Minneapolis BMSG/LPSG Box 7409 Minneapolis, MN 55407
Northern Sun Alliance 1519 Franklin Minneapolis, MN 55404
Drury-Ozarks BMSG Box 129 Drury, MO 65638
Victor BMSG (D. Golas) 400 Moose Hollow Victor, MT 59875
Hancock BMSG (Amy Markus) Old Dublin Rd Hancock, NH 03449
Santa Fe BMSG Rt 4, Box 17-C Santa Fe, NM 87501
Buffalo BMSG 18 Stanislaus Buffalo, NY 14212
Ithaca LPSG/BMSG Box 267 Ithaca, NY 14851
United Tribes Cultural Ctr Box 24235 Columbus, OH 43224
Native American Ctr/BMSG 2900 S. Harvey Oklahoma Cty, OK 73109
Breitenbus BMSG Box 578 Detroit, OR 97342
Eugene BMSG 1236 Kincaid St Eugene, OR 97401
Oregon Greens/BMSG 907 River rd #58 Eugene, OR 97404
ANPO Cultural Ctr Box 66503 Portland, OR 97266
Portland BMSG Box 42640 Portland, OR 97242
Pawtucket BMSG(Steve Karpovich)84 Rosemont Av Pawtucket, RI 02861
Mid-Tennessee Indian Lodge 5276 Waldron Circle Lavergne, TN 37086
Working Horse Rte 2, Box 46 San Marcos, TX 78666
Whatcom Co BMSG 6173 Jupiter PLace Ferndale, WA 98248
Olympia BMSG Box 10234 Olympia, WA 98507
Freedom Fund 1500 East Spruce Seattle, WA 98122
Women for Big Mountain 9714 Wallingford N. Seattle, WA 98103
NW Indian Womens Circle/BMSG Box 8279 Tacoma, WA 98404
Tonasket BMSG Box 874 Tonasket, WA 98855

ACTION LINE

WE MAY NEED TO ACT FAST

We have included this information about telegrams and mailgrams, because as the Relocation Act goes back to Congress, we will want to register our support (if some proposal is acceptable to the people on the land), back an alternative that may come out of Congress, or develop another bill ourselves. To act swiftly, it is important that BMLD/OC have a phone number for you on file. Please send us your phone number and let us know if you would be willing to invest in a telegram or mailgram should it become necessary.

If you took part in our phone tree campaign to Congress, we would like to thank you for your willingness and cooperation. We would also like to ask two things of you. First, please keep the list of Big Mountain supporters that you called and their phone numbers. We may be needing you to telephone them again soon. Also, please send the list of phone numbers to us so we can begin to build our own phone bank. We appreciate all the work you have done and hope you will join us for projects in the future

TELEGRAMS AND MAILGRAMS

*OPINIONGRAM - A public opinion message that allows you to send a 20-word telegram directly to the Congressional telex or any other state or federal elected official. ($4.45 plus $2 for each additional 20 words).

*MAILGRAM - you can send a 50-word message anywhere in the nation. The message will arrive in the next day's mail. ($8.75)

To place an opiniongram or mailgram order call 1-800-325-6000 toll free.

SOLIDARITY DAY

Following up on the successful national and international observance of July 8 as Big Mountain Day, the Survival Network Infomration Center (SNIC) in Kansas City has called for another day to publicly display our solidarity with the families of the Joint Use Area who are resisting removal from their homelands. November 6 will be celebrated as Big Mountain Solidarity Day.

SNIC is currently distributing a petition and a resolution of support, as well as calling for public demonstrations of support (picketing of federal buildings, multinational corporations, etc.) The resolution of support may be obtained from SNIC.

Besides picketing, November 6 would be a good day to focus efforts on cultural events which raise consciousness and build solidarity with other struggles related to halting U.S. intervention, apartheid. Recently Artists Against Apartheid hosted an evening showing of the slide show "In Defense of Sacred Land" in conjunction with South African poet in exile, Dennis Brutus.

Cross-cultural events can only strengthen awareness and generate increased support as we draw the connections between the indigenous struggles for self-determination world-wide.

One proposal still under consideration is for the support network to organize November 6 as a national phone-in day in which our congressional offices are reminded of our opposition to the Relocation Act as well as the continued participation of the federal government and tax dollars in this doomed and shameful program. For further info on this proposal, write to BMSG Berkeley, "Attn Nov. 6", 1412 Cypress, Berkeley, CA 94703

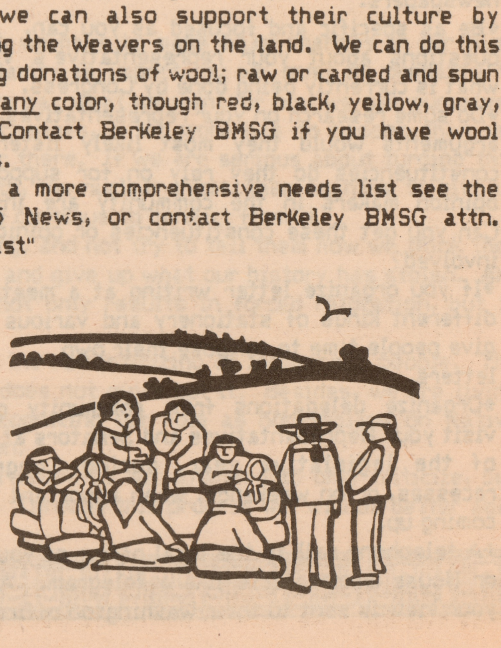
DIRECT AID

SUPPLIES ARE ALWAYS NEEDED, NOW MORE THAN EVER.

With the disruption of the peoples' economic base and winter approaching, We feel it is important to once again emphasize the importance of ongoing material support, especially through this crucial Winter and Spring. Our ultimate goal should be to maintain a steady flow of food (produce, staples, and dry goods), building supplies, warm blankets, winter clothing. In the past local support groups have co-ordinated shipments headed to the land. Contact the support group closest to you if you have a donation. PLEASE despite the limited resources, donations of quality are needed as oppossed to quantity.

Besides supporting the physical needs of the people, we can also support their culture by supporting the Weavers on the land. We can do this by getting donations of wool; raw or carded and spun wool, of any color, though red, black, yellow, gray, brown. Contact Berkeley BMSG if you have wool donations.

For a more comprehensive needs list see the Spring 85 News, or contact Berkeley BMSG attn. "Needs List"



LETTER WRITING

To make this net work, we must expand it to include all 50 states and effectively communicate nationwide and within each state. Some states (CA, WA, OR, AZ, NM, MO, AR, NY, MA, VT) have several letter writers. The Flagstaff office is looking for perosns who would be willing to coordinate the letter writing effort in each state, make sure letter writers in that state know who each other are and how to contact each other. The BMLDOC office has fallen weeks behind in letter answering because of the sheer volume of letters. Our overworked volunteers could handle communicating with 50 coordinators much more easily than with 200 or more letter writers.

If you or your support group would like to take on the role of state of city letter-writing coordinator, please contact the Flagstaff BMLDOC office.

There are still states which are unrepresented or underrepresented by letter writers. States we have heard nothing on are: NE, ND, SD, LA, MS, NC, OK, DE, ME, WY. States where only one of two letter writers are in contact with us are: ID, NV, VT, MN, AR, AL, MI, OH, NY, TX, WI, TN, IN, WV, SC, RI.

Write individual and personal letters, call or meet your individual representatives, find out who on their staff is covering the issue and establish regular communications with that staff person. IMPORTANT: do write follow up letters and insist on response - this keeps the discussion "on the record". The BMLD/OC office will help you analyze and respond to the replies you receive, and provide supporting documentation as needed. Please send a copy of your letter and any responses to BMLD/OC.

Questions to be asked of Congress :

* Where do you stand on the relocation of more than 10,000 Navajo under P.L. 93-531 ?
* A recent study done for the House Appropriations Committee concluded that the program is not working - has your office studied this report ? Reaction ?
* Why are Indians being removed under this "dispute", when nobody has been removed to settle any other Indian land claims ? Is it because in the other claims it would have been white people moved ? Isn't this a racist double standard ?
* Does your office feel the program can be made to work ? How ? Why would those "fixes" be effective ?
* 50% of the families relocating to such places as Flagstaff have already lost their homes, often due to fraud - what should be done about that ?
* P.L. 93-531 requires that relocation take place with "minimum adverse impact". Doesn't the massive failure rate of the program indicate that the program itself is violating the law ?
* Estimates of the cost and magnitude of the relocation have increased by factors of 8 - 20 times; doesn't this indicate the entire program should be reconsidered ?
* How does this removal differ from those of the 1830s, such as the Trail of Tears in Georgia in which 17,000 Indians were removed from Georgia ?
* Manuel Lujan (R-NM) has testified that "even Russia treats its people better...at least they know they're going to Siberia." Is he right ?
* Even if there was a dispute between the Navajo and Hopi (Tribal Councils), would it be appropriate for the U.S. government to impose this program ?

MORE LETTER WRITING SUGGESTIONS

*Do write legibly. Handwritten letters are fine if they are readable.

*Do include your address and sign your name.

*Do include pertinent editorials and articles from newspapers.

*Be as specific and focused as you can. Ask clear questions about your representative's views and what is currently being done by Congress.

*Do some research on your representatives. To what arguments would they most likely listen? What constituencies do they rely on for support? What opinion makers in the community are influential? Can you get these constituencies or opinion makers involved?

*If you organize letter writing at a meeting, bring different kinds of stationery and various pens and give people time to compose their own letters.

*Organize delegations from community groups to visit your Representatives and Senators at the start of the legislative year, during Congressional recesses, or on weekends, when important votes are coming up.

*A telephone call to the local office of your Senator or House member acts like a telegram. A memo of your view is sent to their Washington office.

Resource Materials

BIG MOUNTAIN NEWS

The 8 page newspaper produced quarterly by the Berkeley BMSG contains extensive coverage of the legal, legislative and environmental issues of relocation. Each copy also contains testimony from the Elders. Available for $10 per 100, or 50cents each for back copies. Subsriptions are $5 to $10 sliding scale from Berkeley BMSG/ 1412 Cypress St. Berkeley, CA 94703. (415) 841-6500

SLIDE SHOW

"In Defense of Sacred Land", a 30 minute slide show with music track and narration, offers a close-up look at an explosive situationn featuring the peoples' acts of resistance to preserve their threatened traditional culture at Big Mountain and the complex reasons behind relocation.

For information on slide show rental see section on regional co-ordinators. At printing time there are no copies for sale. Interest will determine time and quantity of next printing. Cost per show; 160 slides and 30 minute soundtrack is approximately $65; quantity printing may rteduce the cost. If you are interested in purchasing a slideshow contact: Santa Fe BMSG, attn: Slideshow/Pelican Lee Rt 4 Box17C, Santa Fe, N.M. 87501

NAVAJOS RESIST FORCED RELOCATION

This "yellow" 12 page booklet which contains detailed information about the history and reasons behind the relocation, its effects on the people and their resistance. Available for $1 each or 30 for $15 from the Berkeley BMSG.

Resistance Art Network

The BMLD/OC Resistance Art Network has numerous media services available. These resources include black and white/color prints and slides of many aspects of the Big Mountain Struggle, including images of tyhe land and the people, mining, and protests. We also have numerous artists in the network who have contributed graphics, illustration, line art and political cartoons. Please call to inquire about our price list. We are very interested in hearing from any artists and photographers who would like to join the Network. Please write to the Resistance Art Network c/o BMLD/OC 124 No. San Francisco Blvd. #B, Flagstaff, AZ 86001 or call (602) 774-6923.

"WHO'S ON FIRST?"

CONGRESSIONAL COMMITTEE ASSIGNMENTS

There are only a few committees in Congress which deal directly with the relocation issue. Any proposed legislation for repeal or amendment of the law has to be approved by these committees before going to the floor of the House or Senate. Members of these committees may have information and influence that will be crucial to our efforts.

THE SENATE OF THE UNITED STATES

APPROPRIATIONS

Mark O. Hatfield, of Oregon, *Chairman*
Ted Stevens, of Alaska
Lowell P. Weicker, Jr., of Connecticut
James A. McClure, of Idaho
Paul Laxalt, of Nevada
Jake Garn, of Utah
Thad Cochran, of Mississippi
Mark Andrews, of North Dakota
James Abdnor, of South Dakota
Bob Kasten, of Wisconsin
Alfonse M. D'Amato, of New York
Mack Mattingly, of Georgia
Warren Rudman, of New Hampshire
Arlen Specter, of Pennsylvania
Pete V. Domenici, of New Mexico

John C. Stennis, of Mississippi
Robert C. Byrd, of West Virginia
William Proxmire, of Wisconsin
Daniel K. Inouye, of Hawaii
Ernest F. Hollings, of South Carolina
Lawton Chiles, of Florida
J. Bennett Johnston, of Louisiana
Quentin N. Burdick, of North Dakota
Patrick J. Leahy, of Vermont
Jim Sasser, of Tennessee
Dennis DeConcini, of Arizona
Dale Bumpers, of Arkansas
Frank R. Lautenberg, of New Jersey
Tom Harkin, of Iowa

Subcommittees

(Messrs. Hatfield and Stennis are nonvoting members of all subcommittees of which they are not regular members.)

INTERIOR AND RELATED AGENCIES

Mr. McClure, *Chairman*

Mr. Stevens
Mr. Laxalt
Mr. Garn
Mr. Cochran
Mr. Andrews
Mr. Rudman
Mr. Weicker

Mr. Byrd
Mr. Johnston
Mr. Leahy
Mr. DeConcini
Mr. Burdick
Mr. Bumpers
Mr. Hollings

SELECT COMMITTEE ON INDIAN AFFAIRS

(Created by S Res. 4, 95th Cong.)

Mark Andrews, of North Dakota, *Chairman*
Barry Goldwater, of Arizona
Slade Gorton, of Washington
Frank H. Murkowski, of Alaska
James Abdnor, of South Dakota

John Melcher, of Montana
Daniel K. Inouye, of Hawaii
Dennis DeConcini, of Arizona
Quentin N. Burdick, of North Dakota

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

Ratio 35/22

1. Jamie L. Whitten, Miss., chairman
2. Edward P. Boland, Mass.
3. William H. Natcher, Ky.
4. Neal Smith, Iowa
5. Joseph P. Addabbo, N.Y.
6. Sidney R. Yates, Ill.
7. David R. Obey, Wis.
8. Edward R. Roybal, Calif.
9. Louis Stokes, Ohio
10. Tom Bevill, Ala.
11. Bill Chappell, Jr., Fla.
12. Bill Alexander, Ark.
13. John P. Murtha, Pa.
14. Bob Traxler, Mich.
15. Joseph D. Early, Mass.
16. Charles Wilson, Tex.
17. Lindy (Mrs. Hale) Boggs, La.
18. Norman D. Dicks, Wash.
19. Matthew F. McHugh, N.Y.
20. William Lehman, Fla.
21. Martin Olav Sabo, Minn.
22. Julian C. Dixon, Calif.
23. Vic Fazio, Calif.
24. W. G. (Bill) Hefner, N.C.
25. Les AuCoin, Oreg.
26. Daniel K. Akaka, Hawaii
27. Wes Watkins, Okla.
28. William H. Gray III, Pa.
29. Bernard J. Dwyer, N.J.
30. William Hill Boner, Tenn.
31. Steny H. Hoyer, Md.
32. Bob Carr, Mich.
33. Robert J. Mrazek, N.Y.
34. Richard J. Durbin, Ill.
35. Ronald D. Coleman, Tex.

1. *Silvio O. Conte*, Mass.
2. *Joseph M. McDade*, Pa.
3. *John T. Myers*, Ind.
4. *Clarence E. Miller*, Ohio
5. *Lawrence Coughlin*, Pa.
6. *C. W. Bill Young*, Fla.
7. *Jack F. Kemp*, N.Y.
8. *Ralph Regula*, Ohio
9. *George M. O'Brien*, Ill.
10. *Virginia Smith*, Nebr.
11. *Eldon Rudd*, Ariz.
12. *Carl D. Pursell*, Mich.
13. *Mickey Edwards*, Okla.
14. *Bob Livingston*, La.
15. *Bill Green*, N.Y.
16. *Tom Loeffler*, Tex.
17. *Jerry Lewis*, Calif.
18. *John Edward Porter*, Ill.
19. *Harold Rogers*, Ky.
20. *Joe Skeen*, N. Mex.
21. *Frank R. Wolf*, Va.
22. *Bill Lowery*, Calif.

SUBCOMMITTEES OF THE COMMITTEE ON APPROPRIATIONS

[Under Committee rules, the chairman is a member of each subcommittee and the ranking minority member is an ex officio member of each subcommittee.]

INTERIOR

Sidney R. Yates, Ill., chairman
John P. Murtha, Pa.
Norman D. Dicks, Wash.
Edward P. Boland, Mass.
Les AuCoin, Oreg.

Ralph Regula, Ohio
Joseph M. McDade, Pa.
Tom Loeffler, Tex.

INTERIOR AND INSULAR AFFAIRS

Ratio 22/15[1]

1. Morris K. Udall, Ariz., chairman
2. John F. Seiberling, Ohio
3. James Weaver, Oreg.
4. George Miller, Calif.
5. Philip R. Sharp, Ind.
6. Edward J. Markey, Mass.
7. Austin J. Murphy, Pa.
8. Nick Joe Rahall II, W. Va.
9. Bruce F. Vento, Minn.
10. Jerry Huckaby, La.
11. Dale E. Kildee, Mich.
12. Tony Coelho, Calif.
13. Beverly B. Byron, Md.
14. Ron de Lugo, V.I.
15. Sam Gejdenson, Conn.
16. Peter H. Kostmayer, Pa.
17. Jim Moody, Wis.
18. Alan B. Mollohan, W. Va.
19. Richard H. Lehman, Calif.
20. Bill Richardson, N. Mex.
21. Fofo I. F. Sunia, Am. Samoa
22. George (Buddy) Darden, Ga.
23. Peter J. Visclosky, Ind.
24. Jaime B. Fuster, P.R.
25. Mel Levine, Calif.

1. *Don Young*, Alaska
2. *Manuel Lujan, Jr.*, N. Mex.
3. *Robert J. Lagomarsino*, Calif.
4. *Ron Marlenee*, Mont.
5. *Dick Cheney*, Wyo.
6. *Charles Pashayan, Jr.*, Calif.
7. *Larry E. Craig*, Idaho
8. *Denny Smith*, Oreg.
9. *James V. Hansen*, Utah
10. *Bill Emerson*, Mo.
11. *John McCain*, Ariz.
12. *Barbara F. Vucanovich*, Nev.
13. *Bill Hendon*, N.C.
14. *Michael L. Strang*, Colo.
15. *Ben Blaz*, Guam
16. *Joe Barton*, Tex.

Encouraging Words ...

To demonstrate that there is hope, and that Congress has on occasion responded positively, we include the following excerpts from recent letters:

"Had I been a member of the 93rd Congress, I would have voted against the Navajo-Hopi Relocation Act. Federal intervention has only aggravated the land dispute, and we are spending millions of dollars with no resolution in sight." Rep. Bob Stump - AZ, August 14, 1985

"Another party to the dispute is the Peabody Coal Company. Peabody Coal stands to benefit through their mining interest in the area should the Navajo be removed, since the land will then be unoccupied and available for profitable use by the Hopi Nation." Sen. Dan Evans - WA, June 24, 1985

"The traditional and emotional issues surrounding the Big Mountain area are indeed major concerns which must be resolved, and possibly even renegotiated." Sen. Pete Demenici - NM, May 28, 1985

"The court-ordered division of reservation lands and removal of families has resulted in very serious conflicts between the Hopi and Navajo tribes." Rep Jim Weaver - OR, June 27, 1985

"Problems still exist with cost overruns, relocatees losing their homes to unscrupulous realtors, high unemployment for relocatees due to lack of basic work skills and education, assimilation into non-Indian cultures...", Rep. Eldon Rudd - AZ, May 24, 1985

Every Dollar Counts...

The need for funds to support this struggle is never ending. It is essential at this time to maintain a visible presence and continue the outreach. Responding to incoming inquiries is presently requiring drastically increased levels of resources due to the escalation of public interest since last winter.

This is the only organized effort on behalf of the families resisting relocation, and the only organized independent legal effort on their behalf.

A continual influx of small contributions has been our survival until now, but an effective effort in this period leading up to the July, 1986 deadline will require a different level of financial support. Two approaches need more serious attention: (1) re-evaluation by each of us as to how we might generate a couple hundred or thousand dollars; can we donate one day's pay from our job, turn over one commission on a sale, approach one of our relatives who might be concerned?, and (2) potential contributors of significant funds need to be approached in an appropriate way by persons who can best answer their questions. This effort needs to take place on a nationwide basis.

The "usual" approaches must be accelerated : dances, tabling, concerts, raffles, slideshowings, benefits organized around tours. Sponsoring speaking tours also generates funds, and most importantly increased public awareness. But there is till a major gulf between available funds and what is needed to continue this work.

Budgets have been identified for the following operations, and proposals will be provided to potential funders if there is interest:

* legal effort in defense of the people;
* Flagstaff office (legal/political);
* information distribution (materials);
* representation in D.C.;
* travel funds for traditionals to meet with governmental offices;
* material support for the people facing removal;

REGIONAL SLIDESHOWS

The slide show is one of the most effective educational tools presently available. Many local support groups have a copy of the show, some do not. If you are interested in showing IN DEFENSE OF SACRED LAND, contact the closest local group (see support group list). If no show is available, contact one of the regional slide show coordinators. There are currently four regional contacts for slide shows who have been identified as having copies of the slide show available for loan/rent.

Berkeley BMSG, 1412 Cypress, Berkeley, CA 94703

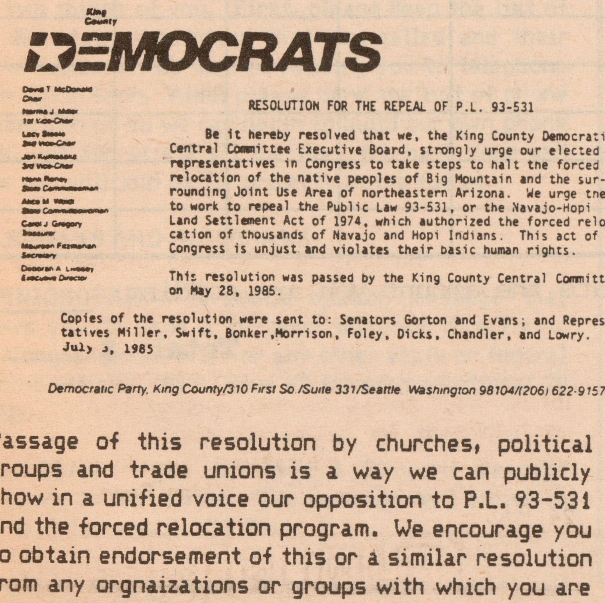
Drury-Ozarks BMSG, Box 129, Drury, MO 65638

BMLD/OC, 124 N. San Francisco St., Flagstaff, AZ 86001

Janis Morrison, 24 No. Street, Sommerville, MASS.,02144

UNIFIED VOICE

The "resolution" effort continues in Washington. In addition to the King County (Seattle) Democratic Committee, the Pierce County Democrats, and the Spokane Democrats, we are told that soon the State democratic organization will pass a resolution for repeal of Public Law 93-531.



King County
DEMOCRATS

RESOLUTION FOR THE REPEAL OF P.L. 93-531

Be it hereby resolved that we, the King County Democratic Central Committee Executive Board, strongly urge our elected representatives in Congress to take steps to halt the forced relocation of the native peoples of Big Mountain and the surrounding Joint Use Area of northeastern Arizona. We urge them to work to repeal the Public Law 93-531, or the Navajo-Hopi Land Settlement Act of 1974, which authorized the forced relocation of thousands of Navajo and Hopi Indians. This act of Congress is unjust and violates their basic human rights.

This resolution was passed by the King County Central Committee on May 28, 1985.

Copies of the resolution were sent to: Senators Gorton and Evans; and Representatives Miller, Swift, Bonker,Morrison, Foley, Dicks, Chandler, and Lowry.
July 3, 1985

Democratic Party, King County/310 First So./Suite 331/Seattle Washington 98104/(206) 622-9157

Passage of this resolution by churches, political groups and trade unions is a way we can publicly show in a unified voice our opposition to P.L. 93-531 and the forced relocation program. We encourage you to obtain endorsement of this or a similar resolution from any orgnaizations or groups with which you are associated.

EMERGENCY RESPONSE NETWORK

As is reported elsewhere in this issue of the NEWS, there is an "Emergency Response Network" being established to support the resistance to removal by the traditional people of the Joint Use Area and Big Mountain. The Network intends to organize the presence of hundreds, perhaps thousands, of persons of conscience willing to stand with the Navajo in order to block that removal.

Planning for this network has been underway for several months. A few possibilities should be considered by those who may be interested in commiting to such a network. Main principles for support workers are self-sufficiency at the material level, and accountability to the traditional people on the land. We will be their guests, and under their "jurisdiction" more than that of any other government, whether U.S., Navajo or Hopi.

The basic model for the network may be commitment by a particular group or community to provide a "brigade" of 3-6 people, trained, fully supported in terms of material needs, to a specific period of time. Such brigades would also take responsibility for educating their own community/group when they are not on the land. Membership in such a formation is not essential to participate in the defense work, but it does help organizers on the land know whom they are dealing with.

CALLING ALL ARTISTS

We are planning to hold several holiday art and craft sales to benfit BMLD/OC. We would greatly appreciate donations of art (drawings, paintings, photography) and crafts (beadwork, pottery, greeting cards, etc.) Any donations worth $100 or more can be made tax deductible. Please send any donations to BMLD/OC, in care of the Resistance Artists Network.

There will be an attempt to accomodate any group or organization's constraints, pertaining to non-violence or other ethical or tactical concerns. In practice this means that there will be an effort not to place people in situations where they must violate their own values or conscience. To accomplish this goal, any such constraints should be identified before coming to the land.

The overriding principle of this support effort is to support the legitimate needs of the people facing removal, needs which they define for themselves as they defend their very lives against a hostile government. It may be that some people would best show their support by participating somewhere other than on the contested lands, perhaps at off-reservation government offices, and so on.

The government can be expected to have its usual cast of infiltrators and provocateurs on hand, as it does already; plans are being made accordingly.

For further information on how to participate, availability of training and groundrules for the network, interested persons should contact either the BMSG in Berkeley or the BMLD/OC offices in Flagstaff.

Please send contributions to:

To support the legal work:

Big Mountain Legal
Defense/Offense Committee
124 N. San Francisco #B
Flagstaff AZ 86001
(602) 774-6923

Tax deductible donations to support the legal work:

Capp St. Foundation
294 Page St.
San Francisco CA 94102
(415) 552-0860

A South African Looks At Big Mountain

I am a white South African activist involved in an organization called South African Military Refugee Aid Fund (SAMRAF). SAMRAF is a political organization that gives assistance to South African war resisters. SAMRAF also tries to connect the struggles of apartheid in South Africa to apartheid in the rest of the world, especially here in the United States.

I have written this statement from my experience gained through involvement in mass organizing here in the U.S., international solidarity work, and attendance at a recent ceremony at Big Mountain. I believe there are many comparisons between the South African situation and the struggle here in North America.

As white people doing solidarity work, there is much in our lives that we need to challenge and change. Much of this is very difficult to even think about, let alone change. However, I strongly believe that if we are serious about solidarity with the indigenous struggles, we have to make some major changes. Unfortunately too much of the time our "support" is actually a drain to the struggle.

First it is important to thank the Elders, the Sundancers and the people of Big Mountain for inviting the non-Indian, in particular white people, to their land, especially at a time of a sacred ceremony. As white people we seriously have to understand the kind of support that is necessary. Both identifying the enemy and understanding the quality of support is important. Hopefully this statement will generate some ongoing discussions on the subject.

The question of whose land and resources is an important starting point. Let us remember that we are living on Native American land, and that resources such as coal for electricity is mined on their land. We also need to address the question of white skin privilege and racism. Due to the systematic genocide committed against the Native Americans by white people, the Native American has become a minority in their own land. It has been white people that have benefitted from this situation.

It is not enough to argue for reforms, or to say that the Democrats are better than the Republicans. Big business, multination corporations , expansionism and militarism have been responsible for the genoicidal policies against the Native Americans, irrespective of the political party in power. It is no coincidence that the first administrator of policy towards Native Americans was the Department of War. Even today the most basic of hiuman rights, the right to self-determination and genuine self-government are denied to the Native American.

Fighting U.S. imperialism in Central America, South Africa, the Middle East or the Philllipines, need I go on, is only part of it. American foreign policy is a direct result of its domestic policy, it is important to examine U.S. imperialism in North America,. We must remember also that while Europeans were colonizing North America, they were also involved in the slave trade, forcing Blacks from Africa to be slaves here in this country.

It is a myth to believe that there are structures in this country to deal with atrocities commited by the C.I.A., FBI or U.S. militarism. The incarceration and repression of Blacks and so-called Third World people, and especially the Native Americans bears this fact out. As in South Africa, where the leaders of the people languish in prison, so do the "Leonard Peltiers" in North America. Many progressives feel that justice through the legal system can still be attained. Remember, the present legal system was set up by the colonizers to benefit and protect their interests.

The attempt by the U.S. government to refer to what happened to the Native American as a "dark part" of U.S. history is a lie. It is not history, it is alive in the United States today. Presently there is an attempt to try to forcibly remove Native Americans from their ancestral homes at Big Mountain and the Joint Use Area in order to get at coal, urnaium and water resources. The military and industrial complex continues its erosion and exploitation of what remains of the indigenous land base here in North America.

It is hard to challenge some of this, because we are raised on lies about our past, present and future. It is hard to admit that we have very little to be proud of.

If we as whites are serious about doing solidarity work, we have to make major changes in our lives and the way we perceive things. The quality of our solidarity is important; we must be prepared to receive guidance from Native Americans. It is not our role to say what we want, or how we see ourselves fitting into the picture. If we are serious about making changes, a lot more has to happen than our occasional "visit to the land", or the repeal of a law here or there. If we are serious about turning this around; stopping relocation, repression, the rape of the earth, the nuclear cycle, then we have to give up white skin privilege, and still recognize that nevertheless we continue to benefit from it.

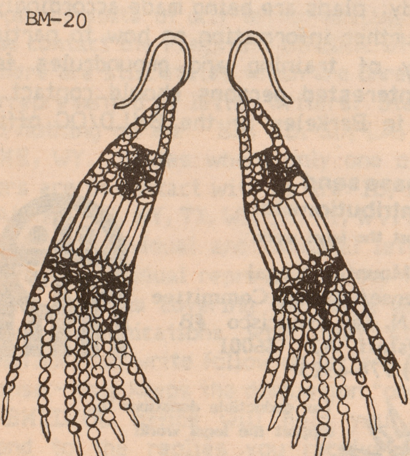
We have to listen to what the Native Americans are saying, and not try to tell them how we think they should be making changes. We must be prepared to give back and give up what our history has stolen. Are we prepared to give up electricity ? The mining of coal not only results in forced relocation, but is destroying the land and water supplies.

The patronizing attitude of some whites is reflected in the romanticizing of indigenous people. The attitude of "let's go live on Indian land and live like them" does not quite cut it. Besides, we are living on their land in the cities as well. We can do this by recognizing our role as non-Indians on Native American land, and support the struggle of self-determination.

We should all take these questions seriously. This statement is not intended to only criticize, but also to support and generate further discussion on the topic. Through this process we will be better able to understand our role in this struggle.

SUGGESTIONS FOR HOLIDAY GIFT GIVING

BM-20



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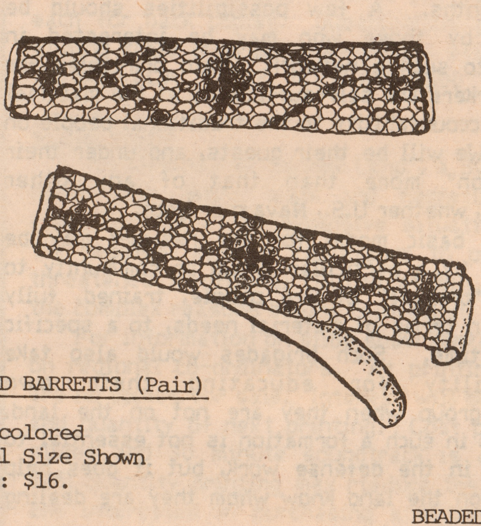

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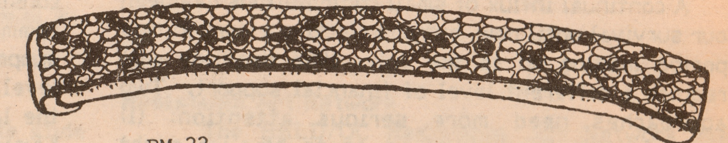

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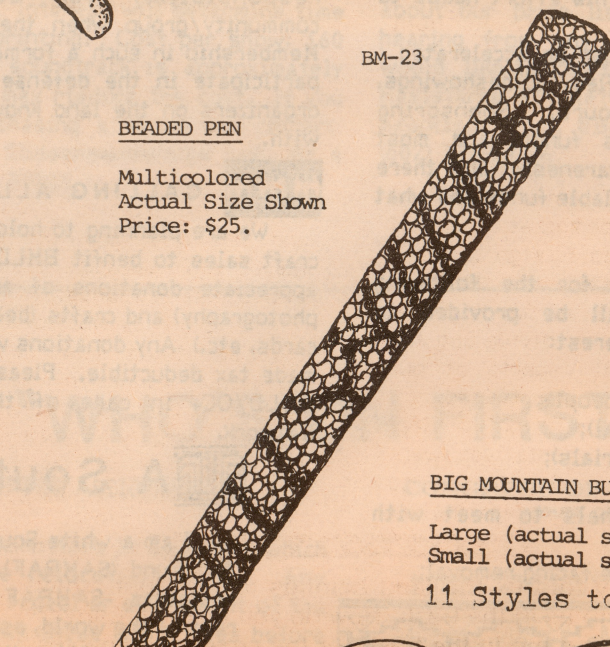

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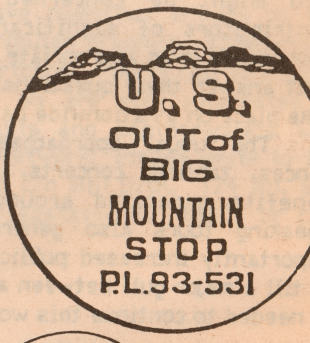
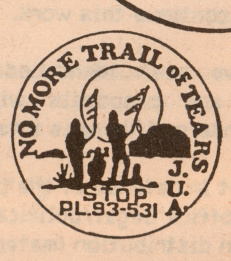

U.S.
OUT of
BIG
MOUNTAIN
STOP
P.L.93-531

BM-26


NO MORE TRAIL of TEARS
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U.
A.
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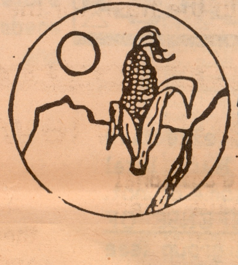
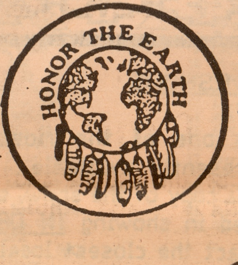
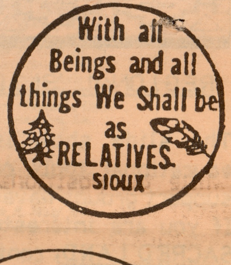
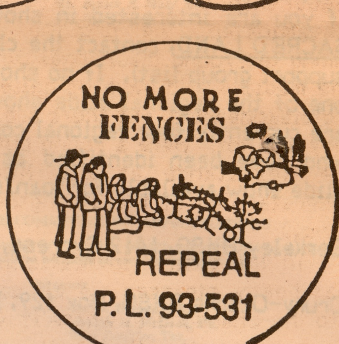
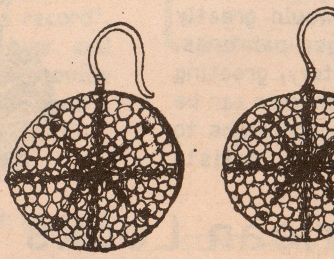



HONOR THE EARTH


With all Beings and all things We Shall be as RELATIVES
SIOUX


NO MORE
FENCES
REPEAL
P.L. 93-531

BM-24



BEADED ROSETTA EARRINGS

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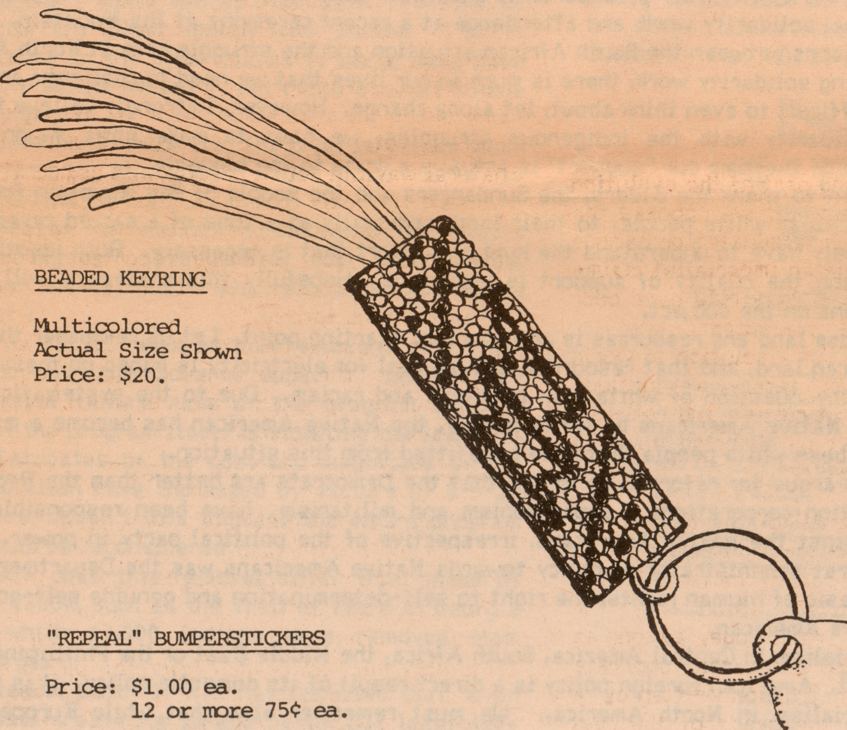

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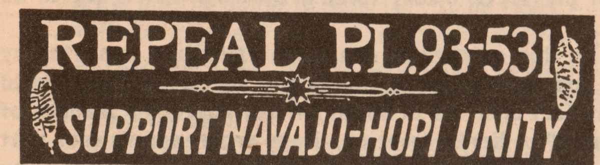
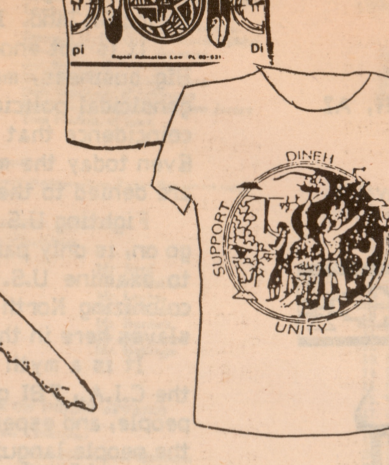

REPEAL P.L.93-531
SUPPORT NAVAJO-HOPI UNITY

BM-40

BM-28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HOPI TRIBAL COUNCIL: Result of "white man's burden"

The invention of the "Tribal Council" form of government is credited, by all accounts, to John Collier, a liberal social worker who became infatuated with the Indians of the Southwest, and then set out to "save" them. Nowhere was the "Tribal Council" more furiously rejected than in the Southwest, to which Collier and Oliver LaFarge devoted their most intense efforts.

The Hopi wrote to President Carter in 1977 about their oppression by the imposition of the Tribal Council, just as they had written to several previous presidents. Their accusations are borne out by the records and journals of Collier and LaFarge.

RED MAN'S BURDEN

HOPIS PROTEST PUPPET GOVERNMENT

In October of 1977, spokesmen for the traditional Hopi leaders of Shungopavi wrote to President Carter:

"Our way of holding our land in common and in trust for all people and all future generations is in immediate danger of extinction. As a result of the Indian Reorganization Act of 1934, a "Hopi Constitution" was drawn up by B.I.A. anthropologists and aides and imposed upon the Hopi people through a fraudulent election which has never been investigated.

"It is important for you to understand that we already have our own form of government and decision-making, and that your "democratic" way of majority rule is alien to us. Also foreign to us is your "seperation of church and state". Our Hopi way is to recognize the Great Spirit as our supreme leader in all facets of life. We do not divide God and man, religion and politics. All aspects of our relationship to the land and life are intertwined.

"As a result of the 'Hopi Constitution', a 'Hopi Tribal Council' was created...representatives were sent from two of the traditional villages to determine if the council would be operating as promised, by consulting with the KIKMONGWIs before making any decisions affecting the Hopi people...it was discovered that they were to function basically as a branch of the United States government, in effect a puppet government.

"The 'Hopi Tribal Council' has never been a legally constituted body (even) according to their own Constitution since 1937.

"In all actions, legal and political, that the Council has undertaken in the name of the Hopi tribe, they have not had the authorization of the true and rightful Hopi leaders.

"It is now clear to us that the Tribal Council, in concert with Boyden, have conspired to divide, fence, and sell this land, our birthright, and to profit thereby. To us, it is unthinkable to give up control over our sacred lands.

"It is felt by most of the Hopi Elders and people that something must be done now to stop the dictatorial manner in which the 'Tribal Council' has been operating. The views, opinions and wishes of the traditionally established village people has been totally ignored, and this is a violation of freedom of speech and religion, our basic human rights."

They told us the land belongs to the Hopi. They bump us in the trash. How do you feel, Mr. Carter? Leaving me in the trash for the crows and coyotes to pick my bones.

Dine Youth Views Genocide

[While the positions of the Elders and traditional leadership of the Navajo and Hopi have been disseminated, the growing resistance sentiment among the young traditional Dineh and Hopi have not. The media would have us believe that the Old Ways are disappearing, but there are many indications that they are not. Here a young but long time veteran of the Resistance at Big Mountain provides an understanding of the strengths of the people's own ways.]

In the elders' invocation, made daily, they ask that heavy stresses we all carry be released back into the atmosphere, where it will return to earth as the morning dew that will set on the petal of a blossom, and that it also return to earth as sacred pollen of these new blossoms. In that way different colors of race come together and in that way I saw each one leave Big Mountain when the sun came to see everyone off.

Many of the elders go to their local tribal governments' chapter meetings. There they hear the latest federal government's advice, with assurance that their Tribal Councils do understand, and that as members of that Tribe we should obey the new regulations.

There is really no need for traditional people to be invited to chapter activity. The only thing made clear is that chapter meetings translate laws which are coming into effect, and not laws that might be made.

The land base organized meetings like the Gatherings (the annual Youth and Elders Survival Gatherings held at Big Mountain) in April are a different approach to coming together, by starting each day with prayer circles, asking our creators to assist us in sharing our knowledge, and to keep us conscious that our purpose is to be one of unity.

The elders felt comfortable to speak even though most of them spoke about how they are struggling every day with the pressure of P.L. 93-531. No one cuts them off and tells them "look, we already heard too much of that".

To some of us who grew up part-time on the reservation, we are usually shocked to learn again that the lives of our people are changing too fast for the worst. What can be visioned clearly and not wondered about is that we must again organize.

All those who experienced the Gathering surely realize it was powerful that our creators set the agenda for us. Every participant present was meant to be there, and came in before the four days of rain and muddy roads which covered the land. The April Gathering has provided a general assembly with the Hopi Independent Nation, the national non-Indian allies, and international representatives of the indigenous communites, to further resolve the cultural and religious genocide we all face.

It is known to us that along part of the evolution there were sovereign nations who have opposed the empires, and who were later exterminated or became refugees. It doesn't matter if an imperialist claims to be communist or democratic, they rule over poor people and force them to make "yes votes".

So when we try to figure out a solution to world oppression and understand its history, we conclude by looking at an almost extinct culture and religion. This means our energy must be directed towards one's religion and one's ancestry.

Presently the Tribal Council of the Navajo and Hopi Tribe, its activity centers around being a public relations agency for the Bureau of Indian Affairs. The BIA appropriates funds which are for development according to the Tribal Code, as long as the Chairman, and his council delegates cooperate with the Code, based on a constitution written by a White man, not according to the needs of the real landlords of the reservation. That's why we say Tribal Councils are "puppet governments" like those in El Salvador and Honduras.

In 1979 in order to break away from the solitary confinement of the BIA, the traditional elders signed the Proclamation of Independence, on October 28 of that year. That Proclamation stated resistance forever against the anti-Indian policies trying to destroy our religion and our culture. It states also that, even if P.L. 93-531 was to be repealed, our efforts would continue, to educate our relatives about the colonial activity to terminate our reservation, and that as Dineh, the people, we must return to the path of Indigenous Spiritualism.

That is why we invited other Nations to conduct their ways. One ceremonial gathering that takes place here is the sacred Sundance, that comes from people of the north, people of many nations, the Lakota people. The Southwest is held in balance by the Sundance Way along with the Hopi Way, come together with our corn pollen way of the Dineh at the Big Mountain Survival Camp. That is how we fulfill the prophecies of the Red people on this Western Hemisphere.

Another part of the prophecies is about our relatives, the White race whose ancestors made their spirits present on this continent just yesterday. Today many more have abandoned their own ways of Europe, since they were forced here by the British Crown. Today it appears that their ancestors never spoke for them to ask their permission to be on Turtle Island

These lands do not recognize them as they walk and dwell upon it. Many have decided to invent their own cult. Some even try to invent their own tribe. Still many keep searching for a root, or else some decide they are just plain "honky" or a White person. These are their journeys within the prohecies, and in the end they shall look upon the Red Man's ways because it will be similar to their old "Stone Henge" ways.

Now the White relatives will have to respect their own origin. With that respect they can identify themselves to the creators of Turtle Island. Then the Mother Earth will accept them and the air will accept them and their Red brothers will look up to them with honor.

What will happen when 1986 comes about, and the Federal government tries to forcibly evict all who have resisted, after 12 years of P.L. 93-531 ?

Only if we had not prayed hard enough, or if we are not accepted by our creators, then we would probably never see a peaceful world again. If the Dineh lands are invaded by the U.S. government's military force as they have done at Wounded Knee, then on this morning our nation will not accept them, as they are not accepted by the creators. Spiritually we are to remind ourselves that human beings will not be harmed, but we all have to be there in 1986 to prevent more creation of anti-human policy. We will not allow a U.S. intervention.

Origin Myths of the Hopi Tribal Council

HOPI COUNCIL A TOOL FOR "CULTURAL ADJUSTMENT"

Much has been reported in the NEWS regarding the resurrection of the Hopi Tribal Council in the early 1950's by Mormon attorney John Boyden. However, the origins of the first Councils and the Constitution of the 1930s and 1940s also are noteworthy:

John Collier, Roosevelt's New Deal appointee as Indian Commissioner, conceived and institutionalized the Tribal Council form of government in the Indian Reorganization Act of 1934. The most formidable resistance to Collier's invention was in the Southwest, among the Hopi and Navajo. Collier assigned anthropologist Oliver LaFarge to go into the field and "sell" the tribes on a constitution and tribal council form of government.

Did Collier and LaFarge understand that they were forcing an alien form of government down the throat of an ancient culture ? Very clearly:

"The main theme I have in mind is the white man's burden", LaFarge reminisced shortly after the first U.S. staged "consitutional referendum" at Hopi, (in which 750 of the 5,000 - 6,000 Hopi voted).

"I faced the facts about this Constitution", he wrote in his journals. "The Hopis are going to organize, first, because John Collier and a number of other people decided to put through a new law...The Indians didn't think this up, we did...it's the cold fact of cultural adjustment...the Hopis will accept the Constitution because (several others) and I decided they should. That is the White man's burden."

Were Boyden and LaFarge aware that Hopi traditionals would indicate their objection to the constitution by boycotting the election rather than voting against the document ?

"This Constitution will be accepted...First Mesa is one of the few places where they vote 'no' when they're against something...dissident elements at (Second and Third Mesas) will refrain from voting....Opposition is expressed by abstention...It is alien to them to settle matters...by majority vote. Such a vote leaves a disatisfied minority...Their natural way...in actual practice...is democratic, but it works differently from ours." (LaFarge).

When it was time to certify the meager vote on the Constitution, LaFarge reported "Progressives and Conservatives alike are agreed upon the document thus formed."

The Indian Law Resources Center summed up succinctly: "The Hopi Tribal Council was designated as a tool to carry out a plan to which neither Hopis nor Navajos had agreed."

The Sacred Mountains have always been
where they are now.
They have been like that from the beginning.
They were like that in worlds before this.
They were brought up from the Underworld
And were put back in their respective places.

When the mountains were replaced,
Earth was made.
Sky was made.
Dawn was made.

The Dawn People say to us,
"Get up, my grandchildren!
"Rise! Do your work!
"Do all the things that
you must do!"

"Good old boys" still in control?

Relocation Lobbyist is Former Peabody......

Who tells the relocation story in Washington ? When Congress takes up the "land dispute" issue again this Fall, much of the information it relies upon will be that provided by lobbyists. Several of the lobbyists in 1985 are the same as in 1973-1974, and their "connection" to Peabody and other companies is not hard to discover.

When a Congressional office wants to know the status of the relocation program, they can call the Relocation Commission's D.C. lobbyists, Fred Craft and Harrison Loesch. Loesch took on the Relocation Commission account in 1982, coming out of retirement after a 5 year stint as Peabody's vice president for "public affairs" in Washington.

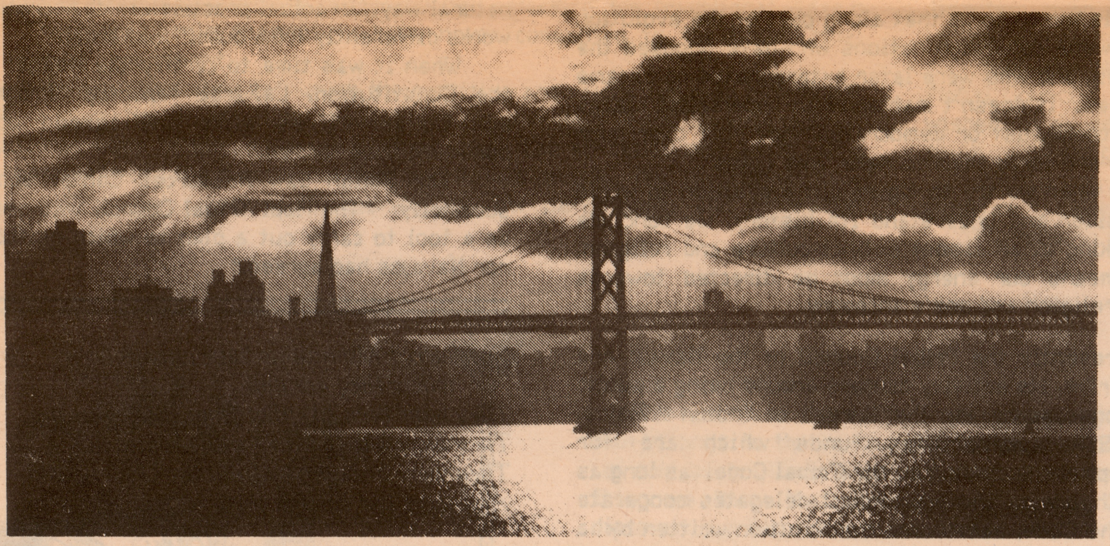
What is the relationship between minerals and energy companies and this massive Indian removal ? It is an intimate one, best shown by following the paths of key people and projects:

HARRISON LOESCH

In 1969 Harrison Loesch was with Interior and by the early 1970's was the Interior Department's Undersecretary for Public Lands, placing him in charge of the Bureau of Indian Affairs. When the B.I.A. was occupied by militant Native Americans, following the cross country "Trail of Broken Treaties" caravan, a key demand of the occupiers was the removal of Loesch. One month later President Nixon fired Loesch.

Earlier that year Congress had taken up legislation to partition Navajo-Hopi lands and remove the Navajo. Harrison Loesch ordered his employee, the commissioner for Indian Affairs, who opposed the bill, to support it.

After being fired from the Interior Department, Loesch was appointed by the Arizona congressional delegation in 1973 as minority (Republican) counsel for the Senate Interior Committee, with Craft as his junior partner. Both men were key participants when that Committee was developing P.L. 93-531, the Relocation Act. When Loesch moved over to Peabody in 1976, Craft stayed on at the interior Committee. The partnership was resumed in 1982 when the two of them took on lobbying responsibilities for the Relocation Commission, according to Craft in a recent interview. In Washington, D.C., Loesch and Craft are the voice of the relocation program.



STEWART UDALL AND THE INDIANS

"The formula is very simple and politically sound. Indian land, Indian coal and Indian water will generate Indian power...to be shipped across Indian land to Albuquerque, Phoenix, Los Angeles." Thus testified a young Navajo legal aid in 1971 before the Senate Interior Committee. His name was Peterson Zah.

"The relationship between the Southwest power complex and the water rights of the Navajo Tribe is this : Navajo coal mined from the Black Mesa will be burned (at powerplants on) the Navajo Reservation in order to pump Navajo water from the Colorado River to the Central Arizona Project (CAP)...The Secretary of the Interior violated his trust responsibilities by approving the necessary leases and grants." Most of the projects referred to by Zah were approved by Stewart Udall.

Three years earlier, in 1968, Secretary of Interior Udall told a private group in Santa Fe, "when we look at Indian resources today, one asks himself, 'what would...Standard Oil of New Jersey do if they owned this particular piece of land and these resources?' The big thing is to get the Indians into the money markets of the country - to the bank - into the economic mainstream. Forget the past. Get a smile on your faces."

Ironically it was Standard Oil's request, filed with the Department of Interior in 1921, which resulted in the first U.S. designated "tribal council", created for the specific purpose of approving leases on Indian lands.

CENTRAL ARIZONA PROJECT (CAP) AND THE BROTHERS UDALL

1968 was also the year Congress finally authorized, after decades of struggle, a bill approving the massive Central Arizona Project, sponsored by Arizona Representative Morris Udall, Stewart's brother. Often described as "history's largest water project", the CAP was conceived in the 1940's and bludgeoned through Congress in the 1960s. Arizona's entire economic future was thought to depend on the CAP.

The CAP was based on the idea of diverting nearly 10% of the Colorado River's flow, pumping it over the mountains and then using it to meet the industrial, agricultural and residential demand for water in a hoped-for boom Arizona economy. Pumping the water over the mountains would require massive amounts of energy, so Stewart Udall approved a Department of Interior partnership in the Navajo Power Plant, near Page, Arizona, on the Navajo Reservation. The plant was to be fired with Black Mesa coal.

The final piece in the CAP master plan was resolution of a previously unresolved Navajo claim to Colorado River waters. Under the U.S. recognized "law of the river" the Navajo Tribe had water rights taking priority over all other states in the Southwest.

If the Tribe claimed enough water to develop its own agricultural resources, there would not have been enough water left over to drive the CAP and allow Arizona to develop its economic base. For reasons never revealed, the Navajo Tribe signed an agreement, three months after passage of the CAP bill, to limit its Colorado River claims and allow the CAP to proceed. Such agreement required approval by Secretary of Interior Udall.

WEST AND UDALL

Other operators of the Navajo Power Plant were members of WEST, a 23 member consortium of western utilities and minerals companies. In 1968 Secretary of Interior Udall testified before the House Interior Committee, which included his brother Morris, that "although the Department of Interior is not part of WEST officially, we are keenly interested in its success", and that "we work so well together now that we have the WEST organization."

WEST, EVANS, BOYDEN AND KENNEDY

During the Hopi Tribe's campaign for partition and removal in the early 1970s, public relations and choreography of the so-called "Navajo-Hopi range war" were handled by Evans and Associates, Salt Lake City. At the same time, Evans handled the WEST account. Evans wrote press releases for the Hopi Tribe and then WEST distributed them to the utility customers of WEST.

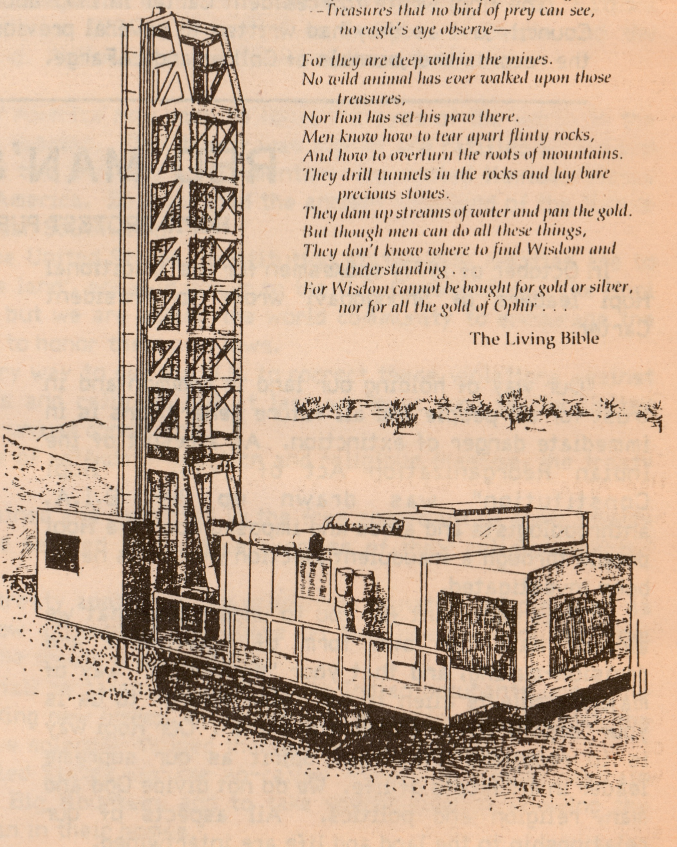
The Hopi Tribe is presently represented in D.C. by attorney John Paul Kennedy, until recently of Boyden, Kennedy and Romney in Salt Lake City. Kennedy's former partner, John Boyden, died in 1980 after representing the Hopi Tribe for three decades, and originating two of the three "land dispute settlement" bills which were introduced in 1973 and 1974, including the one which was signed into law.

Boyden had been designated by the BIA in the late 1940's to resolve land ownership in the Four Corners, and in 1950 to "organize" a "Hopi Tribal Council and Chairman", who in turn hired him to pursue land settlements, according to a 1979 study by the Indian Law Resources Center. Boyden initiated nearly every subsequent suit and piece of legislation, on behalf of the "Hopi Tribe" and in pursuit of the 3,000 square mile Joint Use Area. During the mid-1960's, when Peabody was negotiating the massive Black Mesa coal leases, Boyden simultaneously represented Peabody and the Hopi Tribe.

Men know how to mine silver and refine gold,
To dig iron from the earth and melt copper
from stone.
Men know how to put light into darkness
So that a mine shaft can be sunk into the earth,
And the earth searched and its deep secrets
explored.
Into the black rock, shadowed by death,
Men descend on ropes, swinging back and
forth.
Men know how to obtain food from the surface
of the earth,
While underneath there is fire.
They know how to find sapphires and gold dust,
--Treasures that no bird of prey can see,
no eagle's eye observe—

For they are deep within the mines.
No wild animal has ever walked upon those
treasures,
Nor lion has set his paw there.
Men know how to tear apart flinty rocks,
And how to overturn the roots of mountains.
They drill tunnels in the rocks and lay bare
precious stones.
They dam up streams of water and pan the gold.
But though men can do all these things,
They don't know where to find Wisdom and
Understanding . . .
For Wisdom cannot be bought for gold or silver,
nor for all the gold of Ophir . . .

The Living Bible



Continuing in a long tradition of conflicted interests, Boyden's partner Kennedy was nearly fired by the Hopi Tribe in 1985 when it was discovered that his current law firm was also representing Kerr-McGee at the Supreme Court, in a suit to eliminate the ability of Indian Tribes to tax minerals extraction. Kennedy says he has since severed that partnership. Sources close to the Clark/Morris negotiations also report that Mr. Kennedy is preparing further land dispute legislation in case P.L. 93-531 is reopened in Congress.

OWENS

The 1974 legislation was formally introduced by Representative Wayne Owens, of Salt Lake City. When Owens lost his re-election bid in 1976, he joined the Boyden law firm in Salt Lake City, and in 1980 lobbied actively against amendments to soften the impacts of relocation.

VERKLER

While the legislation was being drafted in the Senate Interior Committee, staff director for that committee was Jerry Verkler, who "gave a very emotional appeal for the Hopis", and spoke against Navajo Chairman MacDonald, according to research by journalist Jerry Kammer. In 1975 Verkler became a lobbyist for WEST member Texas Eastern, a utility which in 1974 was fighting with MacDonald to place a coal gasification plant on the Navajo Reservation.

LOBBYISTS FOR THE NAVAJO ?

Who speaks against relocation, for the Navajo, in Washington ? The Navajo facing removal are declared by the Act to be represented solely by their Tribal Chairman. For the past 3 years the Navajo Chairman has refused their requests that he call for repeal. The Navajo Tribe has a small office in D.C., and has recently contracted with a public relations firm (with no known relation to minerals or energy interests).

CONSPIRACY ?

While these biographical facts may not show an actual conspiracy, they do show that the same cast of characters is at work in 1985 as it was in 1974, many of them with solid records of service to Peabody, Kerr McGee and coal gasification interests, and now lobbying hard against any Congressional let-up on the relocation. These same men appear to be playing musical chairs, with the seats provided by Peabody, the Interior Department and key Congressional committees. Who calls the tune ?

In 1982 the Navajo Tribe commissioned a half million dollar investigation into the land dispute. A conclusion of the investigation, reported by attorney Edgar Cahn, was : "The 'coal connection' is not a causal connection to be reached lightly. Those who have advanced it before have been accused of a conspiracy mentality bordering on paranoia. There are times, unfortunately, when such suspicions are firmly grounded in reality. Indeed, there are times when only the blindness of moral indifference, or of direct (or indirect) self interest can account for the repeated refusals to accept the overwhelming weight of the evidence."

RELOCATION ACT SPLITS HOPI

While the stated intent of P.L. 93-531 is to finalize the border between Hopi and Navajo, the Act itself is deepening divisions within the Hopi people.

As has often been reported in this NEWS, Navajo and Hopi traditionals have said that the real dispute is between the traditionals (of both tribes) and the energy and minerals companies (allied with the "progressive" factions of both tribes). For the past four decades the designated religious and traditional leaders of the Hopi villages have taken this position all over the world, and to the United Nations.

This traditional-progressive split has occurred within almost all American Indian tribes, as they have sought to deal with intruding forces, from Spanish conquistadors to Peabody attorneys.

As the 1986 deadline has drawn closer, pressure has increased on the Hopi Tribal Chairman to agree to a compromise which could avoid the potential international embarassment to the U.S., of a twentieth century forced Indian removal. The Hopi Chairman, however, finds himself in the unique situation of being within 10 months of finally taking clear possession of 1500 square miles of the Joint Use Area. If he wavers, it is the nature of Hopi electoral politics, in which mainly progressives vote, that he will probably be replaced by a hardliner.

Hopi Chairman Sidney's rigid stance has clearly antagonized much of his customary support within Barry Goldwater's office and within the Reagan Administration. Faced with this possible political isolation, Sidney has taken refuge behind what he calls the "traditional" position, claiming that he cannot agree to a compromise because "the villages" won't allow it.

Sidney's scramble to prove he has "traditional" support has deepened the usual split within Hopi, and in some instances taken its toll on the solidarity of the traditionals themselves.

In August, as Sidney left Washington to return home and talk to "the villages" about the Reagan proposal (to which the Navajo Tribe had agreed), the traditional leadership of each of the Hopi Mesas was aware that they might be called upon by the Chairman, and so they prepared.

Within two days of leaving D.C., Sidney visited First Mesa. Two weeks later he told Reagan that the Tribe could not accept the Administration proposal, because of "traditional opposition" from "the villages", and that negotiations were over. During those two weeks Sidney studiously avoided Second and Third Mesas, and despite repeated invitations to come to those villages he continued to avoid them for at least the next month.

What is Sidney's aversion to Second and Third Mesas ? The villages of these mesas have historically been strongholds of Hopi traditionalism. It was at these Mesas in the 1940's that the Kikmongwi (religious leaders) gathered to determine how to respond to the Nuclear Age, and it was out of these meetings that the "Hopi message of peace" began to be spread around the world.

At the time of those meetings there was no U.S. recognized Hopi "Tribal Council", because the traditionals had repeatedly disbanded it. Their opposition to it was based on a preference for their own form of government based on village autonomy. Respect for differences and diversity is a deeply held value of Hopi traditionalism. Thus, U.S. and coal company insistence that they be represented (typically in signing leases) by one unified voice is abbhorrent to these people. The very idea of an elected "Chairman" offends such traditional values, and traditionals voice their objection by boycotting the Tribal elections.

Nevertheless the U.S. has insisted on a unified legal representation for all the people, holding elections every four years, whether the Hopi want them or not. Typically more than 90% of the people don't vote at all.

Why does Sidney turn to First Mesa for support ? Although few Hopi vote, two-thirds of Sidney's electoral support in his 1981 election was from First Mesa. Long-time Hopi observer and anthropologist Richard Clemmer notes that First Mesa is closest to the Indian Agency (BIA) at Keams Canyon, has a strong Mormon presence, and historically has favored the idea of the Tribal Council. In the 1930's when Collier and LaFarge were concerned that nobody at Hopi would vote for the B.I.A. written constitution authorizing the Tribal Council, LaFarge noted that only at First Mesa did the people break from the traditional Hopi avoidance of voting. The entire legal foundation of the Hopi Council is based on First Mesa.

Why is Sidney's facade of "unified" traditional support so important ? When Richard Morris was investigating Hopi opinion on the Relocation Act in May, he attended a meeting of many of the Hopi religious leaders, who told him they opposed the partition and relocation.

In response Morris stated his problem with amazing clarity. "I presume the religious leaders are opposed to it (relocation of the Navajo), but if so, I'd like them to say so in a unified voice...Individual voices are not heard in these kinds of things. It's only unified voices that are heard. That's why we pay attention to the Tribal Council, because its a unified voice...It is the element of the Hopi Nation that we can deal with." Morris also noted the presence, at the meeting, of "a Hopi leader from First Mesa" who does work with the Tribal Council.

"If you have the political force to elect the people...you should become the Council. I urge you...not to set up two political leaderships", Morris continued. "With all the political power you must have...why don't you take control ?" asked political appointee Morris, implying that all is political.

The Hopi replied, "this land is held by our Kikmongwi, with the sacred symbol of authority and power placed in their hands, in the traditional way, a religious way. To us that is much power, because when we deal with the forces of nature...these forces are very powerful to the Hopi."

Grandfather David Monongye added, "we cannot allow anyone to come in and cut this land up...We share this with many other Native people, the Navajo people. We work with the elemental forces in this world to keep this world in balance.

"Many young people are being trained to think in the white man's terms, and the white man is now using them, our own people, by setting up this Tribal Council."

There is a culture at stake here, and it is being split, young from old, mesa from mesa, by pressure from politicians who are insisting on, ironically, a "unified" voice.

Yet the politicos such as Chairman Sidney will also insist they are traditional. And to enhance that image he will tell you a story of a ceremonial agreement between the Navajo and Hopi in the 19th century, an agreement the Navajo have broken, and thus they deserve to be removed. This prophetic homily is often told at First Mesa, and contrasts markedly with the historical prophecies as told on the other Mesas, prophecies which span millenia and passage of the People through several previous worlds, prophecies which stress the bond between all Native people.

Clemmer describes the Tribal Chairman's attempt at traditionalism as "politicalization of the mythic process".

As one of the traditionals told Richard Morris, "the only thing we look to is our religious instructions. The Tribal Council was not set up on that basis. Its a white man's instrument and law they follow, not Hopi."

Rather than providing a "unified voice" for the people, the Hopi Tribal Council, in its support of the Navajo relocation, remains the largest single source of division among the Hopi people.

LEGAL REPORT

How does the legal effort fit into the overall effort to defend the people ? BMLD/OC responds:

A lawyer first assesses the legal context, and in this situation quickly discovers that the Relocation Act denies the people who face relocation any standing in court. They are "represented" by their Tribal Chairmen, and are not even permitted to testify in court on their own behalf.

Given the tremendous hardships suffered by those facing removal, the attorneys could see that any real defense of the people's needs requires changes in the law. However, nobody was defending the people, so the Big Mountain Defense Committee took on their cases, including those who had already "agreed" to relocate (under threat of forcible removal), in order to help them, and to document the hardships. It is this documentation which has provided the political impact of the legal work.

In fact it was this defense work that caused the House Appropriations Committee to investigate the program in 1984, and in 1985 to release results showing that the program isn't working and may not be capable of being made to work. As the Relocation Commission invents "fix" after fix, it is the Defense Committee's files which show over and over that the Commission doesn't know how to make the program work.

In some instances the attorneys were working to obtain relocation benefits for relocatees. While superficially this may have appeared to validate the relocations, on another level it met the people's own stated needs, and initiated the gathering of data documenting the real effects of relocation. This information will be essential in guiding changes to the law once it is reopened, in addition to providing the heat to force that reopening.

The first lawsuits were on behalf of individual relocatees, against private parties such as finance companies and realtors, usually in state courts. These suits, some still in process, showed that the relocations were failing.

As it became clear that the Relocation Commission was not doing the job it was assigned under the Act the legal focus shifted. Claims for damages were filed with the U.S. Claims Court, charging the U.S. (and the Commission) with violation of the Relocation Act itself, as well as trust responsibilities and contract law. It is these breakthroughs, in lawsuits, and then in public understanding, that have shaken the confidence of Congress in the relocation program.

As private attorneys have now started seeking out relocatees, the Defense Committee is de-emphasizing the state court lawsuits and targetting instead the larger suits against the government itself, especially the Relocation Commission. These suits confront the government with the material consequences of its program.

It was Congress's shaken confidence in the Relocation Commission which accounted for the appropriations fight in late September, in which Senator McClure (ID) attempted relocation of the program itself directly into the Interior Department. McClure, and presumably Goldwater, want a quick and final solution to the relocation; they are worried about federal liability.

The federal government is liable in a number of ways: The Hopi tribe could sue for damages on July 8, claiming the U.S. failed to meet the statutory deadline for removal. However, the U.S. is also liable for failing to move people in ways which meet even the minimal requirements of P.L. 93-531 for safe and sanitary housing and for minimized impact. Thus the $1 million dollar suits filed by the Committee in May of this year in U.S. Claims Court. The U.S. appears to be surrounded by liabilities, no matter which way it turns with this program.

This is inevitable, note the attorneys, since the Act itself contains very contradictory requirements. They simply cannot be met. The Committee's position has always been that the Act is not only wrong, but it cannot be implemented.

The next step is a suit to stop all further relocations, in light of the proven massive failures and violations of the current program. It is understood that it is the political and public pressures generated by these disclosures and suits which will finally oblige Congress to hear the traditionals, and to recognize the fact that they have been right all along: they cannot be removed.

MOTHER INDIAN EARTH
AMERICAN INDIAN MOVEMENT

We, the Big Mountain people, present not only statements, but questions. From our viewpoint, the basic question is survival of our families. Up to this point we have presented many statements about how we feel, think and understand this serious situation. What we as the Big Mountain people would like today are answers.

The most important answer that might make the issue more clear is this. What will the U.S. Government do to the Big Mountain people when it finally sinks into the government's head that we will not move and that we will resist? Will members of our families be killed or sent to prison? Should death and imprisonment be an eventual result for many of our people, many others, black, white and Indian will ask more questions. They will ask why didn't we hear about this serious issue? They will ask why do Navajo people have to continue suffering and continue to lose their homeland and their livelihood? They will ask why has the U.S. continued its genocidal "Indian policy" while preaching "human rights" to the rest of the world?

Those are the questions that we bring. We have never heard any answers yet that indicate to us that our position is understood.

The Navajo Resistance: In Our Behalf

Winter is approaching and with it that time of the annual cycle when it is natural to draw inward and reflect. Thanksgiving this year might remind us of an appropriate theme--the sincere acknowledgement of the guidance and inspiration which we as a people have received from our Native American hosts.. Would not the pilgrims whose survival we celebrate have perished without the help of the Indian Nations who taught them how to live on this continent? Was it not the Iroquois Confederacy which provided our forefathers the model from which to pattern our own government? (One which we believe to be the best in the world.) It is good to remember these things...

Some Native Americans say that the time is coming when once again we will need to turn to them literally for our survival--this time for spiritual instruction in how to understand our role as human beings on the face of this earth. It has begun to dawn on many of us that the assumptions which have guided our actions in the past may be leading us toward ecological disaster and ultimately to our own extinction. Indeed, all around us species upon species of plant and animal are disappearing, along with them untold secrets and potentials for healing. Ancient human cultures are also vanishing, many under the pressure of our industrial "monoculture" which is hungrily spreading into the farthest corners of the world in search of "raw materials" to feed its industry and new "markets" to lure into the compulsive consumerism of the "modern world". Perhaps it is the need to compensate for our lost connection to nature, land, and Spirit, which fuels this insatiable desire for ever more material wealth and an ever "higher" standard of living.

But these disappearing cultures may be the very Ones who can, from the clarity of their unique and untainted vision, help us to truly see ourselves while there is still time.

In a culture so acutely attuned to the visual image, movies often seem to reflect our innermost yearnings and doubts, acting as a window to our very souls. How interesting that just lately there have been several movies which portray simple, landbased cultures in a sympathetic light, even hinting that they might have a message for us..."The Witness" powerfully juxtaposed our own violence-prone society with the rural Amish people who have isolated themselves from the dominant culture in order to nurture gentleness in their communities. "The Emerald Forest" shared with us the perceptions of a tribe of Forest People who cannot comprehend why we choose to live in a "dead world" of concrete and asphalt....for them we are "the termite people" who, with no sense of connection to anything living, can heartlessly destroy huge rainforests...

Are not the Navajo people who face what to them feels like extermination, saying something very similar? How can it even be imagined, the stripming of a vast area of land which to them is sacred... The destruction of the rocks and the springs and the canyons and the trees and plants to whom they have prayed and made offerings for centuries? Have we totally lost any feeling for the earth that we can conceive of these things?

Back to the movies... Recently, three movies hit the screen simultaneously, each exploring the question of losing one's roots, one's connection to the earth. "Country", "Places in the Heart", and "The River" all portrayed as heroic the struggle of white farmers to hold onto their land in the face of insurmountable pressures from banks, developers, agribusiness...[all of whose intentions toward the land were callously exploitive.] These movies seemed to agree--better that people who care for and are involved with the land should keep it.

Is not the Navajo people's refusal to be torn from their land equally heroic?

But there is more to this thing. The Navajo people's spiritual teachings tell of how they were placed within the boundaries of the four sacred mountains and instructed to live there in harmony with nature. Both Navajo and Hopi believe they were entrusted with the care of this land, and that through their prayers, ceremonies, fasting and meditation they are actually preserving and maintaining balance in the natural world. They are participants in a living relationship with the earth, which benefits all concerned.

Is it possible that we too are benefitting? (After all, we do inhabit the same earth.) Navajo and Hopi traditions say that if the people forsake their role in protecting the land and allow it to be desecrated, the delicate balance in nature could be disrupted, with terrible consequences for all. (For all probably includes us!)

How can our government demand that the Navajo people betray this responsibility? For these people, to willingly abandon the land is a crime of conscience, and a violation of a relationship that is at the very core of their being.

For these Navajo people, the earth is alive.

BIG MOUNTAIN NEWS
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Covering all aspects of the people's
resistance to partition and relocation

We offer this work as a vehicle to support our mother, the Earth, and her protectors the Indigenous people of the four directions who are moving forward in this generation for the dignity and survival of all people.

Dedicated to:
the Elders and Youth of
Big Mountain and the Joint Use Area
and all the un-named persons
who will carry it on, spreading the news.

QUARTERLY (approx.) $5/yr. to BMSG

There are ancient theories which agree, suggesting that the earth has a gridwork of energy centers just as the body has acupuncture points. Harmonious functioning of the whole system depends on the energy flow through these points being balanced. Not surprisingly, througout the world indigenous cultures have claimed these centers as their sacred homelands, sharing the belief that their prayers and rituals are indeed instrumental in maintaining harmony in the world. The Four Corners area of the Southwest has long been a spiritual center for the Original Peoples of this continent.

On the other hand, the National Academy of Scientists has pointed out that if proposed plans for coal stripmining and uranium mining in the Four Corners are carried out, it might as well be disignated a 'national sacrifice area', as it will probably be unfit for human habitation.

The Navajo people who are resisting relocation, are, through this expression of their commitment to their land, giving us a great gift: the opportunity (and hopefully the impetus) to examine our own deepest beliefs about land and culture and what it means to be a human being walking upon the face of this earth which provides for our every need.

Perhaps our lessons have begun.

If the Land is Distressed-Disaster for Us All

In a statement issued in 1968, Hopi spiritual leaders warned :

"Everything depends upon the proper balance being maintained. The water under the ground acts like a magnet attracting rain from the clouds; and the rain in the clouds also acts as a magnet raising the water table under the ground to the roots of our crops and plants. Drawing huge amounts of water from beneath Black Mesa in connection with the stripmining will destroy the harmony, throw everything we have strived to maintain out of kilter. Should this happen, our lands will shake like the Hopi rattle; land will sink, land will dry up. Rains will be barred by unseen forces because we Hopis have failed to protect the land given us, as we were instructed. Plants will not grow; aniimals will die. When the corn will not grow, we will die; not only the Hopi, but all will disintegrate to nothing...time is very short."

In a letter to President Nixon in August 1970, four Hopi traditional leaders wrote:

"Today the sacred lands where the Hopi live are being desecrated by men who seek coal and water from our soil that they may create more power for the white man's cities. This must not be allowed to continue, for if it does, Mother Nature will react in such a way that almost all men will suffer the end of life as they know it. The Great Spirit said not to allow this to happen even as it was prophecied to our ancestors."

Roberta Blackgoat, Navajo Elder, echoes this caution:

"Anything that is being dug up from the ground is our Mother Earth's body, all the streams that are underneath are her veins, and also the liver is the coal, and uranium is the lung (to breathe in). Now they are hurting the lung over on that side, and hurting the liver (mining uranium and coal). So if she's in pain, what is she going to do ? If she shakes and starts turning, that is going to be it. No one is going to be alive and having money in his pocket...she rolls herself like that, then it is going to be the end of every living thing. Now they are destroying everything. That is what we have been trying to fight for, our Mother Earth, in every way we can, to make these people understand."

CHRONOLOGY

EARLY CHRONOLOGY 1500-1920s

1500s-1800s: Shared use of Four Corners by several Native peoples, including village dwelling Hopi and herdsmen/hunter Dine' (Navajo). Spanish/Mexican occupation of S.W.

1680: massive Pueblo Revolt in which all village dwellers, including Hopi, forcibly eliminate Spanish presence in Four Corners. Navajo assistance. 1693: Spanish reoccupation of all areas except Hopi.

1848: U.S./Mexican War concluded with Treaty of Guadalupe Hidalgo, ceding Southwest to U.S., which agrees never to remove Native peoples.

1849-1851: California Gold Rzsh, White settlers flood through Four Corners, conflict with Indians; U.S. declares war on Navajo. 1860-1864: U.S. Civil War.

1863-4: Colonel Kit Carson, on contract with U.S., detsroys Dine' (Navajo) livestock and crops, puts all captured Navajo on 400 mile Long Walk to Fort Sumner in New Mexico. Thousands die on Walk and in captivity.

1868: U.S. imposes "Navajo Treaty" on headmen as condition for release from starvation at Fort Sumner. Small "reservation" established in N.W. New Mexico.

1871: U.S. stops signing treaties with Indians, moves "Indian affairs" from War Dept. to Interior, launches "Indian education" program with stated goal of "civilizing" the indigenous/traditional people. Forcible removal of Hopi and Navajo children to schools. Resistance. White "agitators" noted by government.

1882: "Executive Order" area (the present Joint Use Area) declared by President Arthur. One degree latitude by one degree longitude, no correlation to Jopi occupancy. 1884: Hopi religious leaders write to President challenging his authority to prescribe ANY boundaries on Hopi (They never had a treaty with the U.S.).

1905-1923: intense oil, gas and minerals exploration. Companies request contractural/leasing authority on Indian lands. Some local Indians try to sign leases. 1923: first "tribal council" formed at Navajo, by Department of Interior, at request of Standard Oil. Only action is to authorize Indian Agent to sign leases in their name.

LATER CHRONOLOGY 1934 - 1982

1934: New Deal; Indian Reorganization Act (IRA) imposes "elected" representative governments on all Indians; Author is familar with village and religious based self-government forms of these people, but determines to "modernize" Indian decision-making, and relations with U.S. government. Hopi and Navajo both repeatedly disband their Tribal Councils.

1946: Indian Claims Commission Act, seeks to "quiet" all Indian land claims with cash buy-outs; evictions from contested lands not allowed. Main claims attorney in S.W. is Mormon attorney John Boyden. Boyden seeks job with Navajo, is rejected.

1940s-1950s: Nuclear/Uranium Age arrives, first large scale coal strip mining in U.S., planning for rural power plants to supply energy to cities. Coordination of minerals development is at Dept. of Interior.

1950-1955: Boyden picked by Interior to settle Navajo/Hopi lands; Boyden organizes a new "Hopi Council" which then hires him to resolve mineral rights.

1958: Boyden authored P.L. 85-547 passes Congress, for the first time "vests" land rights with Navajo and Hopi "Tribes", authorizes Boyden suit to settle land claims.

1962: "Healing-Jones" decision in U.S. District Court, upheld at Supreme Court 1963. Gives Hopi exclusive use use of 1,000 of 4,000 square miles. Decision says 3,000 square miles remains joint (Joint Use Area) and undivided.

1963: first bill to partition land, remove Navajo introduced by Aspinall of Denver; fails to clear committee.

1966: Hopi and Navajo Tribes sign first JUA leases, for "largest coal strip mine in U.S." with Peabody. Boyden represents Peabody during same period. 1968: Central Arizona Project passes Congress.

1971-1974: Several bills to settle "dispute" introduced by Goldwater and Steiger (Az. Senators) and by Owens of Utah. Two of the bills written by Boyden and give Hopi Tribe 50% of JUA. Other bills call for arbitration. Watergate and "energy" crises dominate Congress.

1973-1974: Media coverage of "range wars between Navajo and Hopi". Washington Post investigation finds "war" is staged by Evans and Associates, a Salt Lake City P.R. firm which also writes Hopi Chairman's speeches, and then distributes them through WEST, a consortium of nearly all western unitilies and a client of Evans and Assoc.

1974: P.L. 93-531 passes, requires 6 mo. negotiation, 50/50 partition of lands, boundary to be confirmed by District Court, 90% livestock reduction, establishes Relocation Commission to implement removal of Indians living on "wrong side of fence".

November, 1976: DeConcini (Democrat) replaces Sam Steiger as Arizona Senator. States he favors repeal of P.L. 93-531.

February 10, 1977: District Court decrees partition line under P.L. 93-531.

October 2, 1977: Navajo Elder Pauline Whitesinger of Big Mountain confronts and evicts fencing crew, tears down fence. Community tears down miles of fence.

November, 1977: 7 day conference hosted by Big Mountain, to meet with trad'l Hopi and request AIM assistance.

June, 1979: Fifth International Indian Treaty Council, held at Big Mountain. Elders issue Notice stating "We do hereby declare total resistance to any effort or influence to be removed from our homes and ancestral lands...we further declare ouor right to live in peace with our Hopi neighbors." First "Big Mountain Support Group" formed.

September 5, 1979: Elder Katherine Smith of Big Mountain drives fencing crew off land at gunpoint, halting fencing which had "detsroyed sacred plants, herbs and a sacred spring." Arrested, acquitted in mistrial.

October 28, 1979: Big Mountain Dine' declare Independence and Sovereignty, stating "...the sacred laws of the Dine' give no authority for the federal government and its related agencies to intrude and disrupt the sacred lands of Big Mountain."

June, 1980: P.L. 96-305 amends P.L. 93-531 to transfer jurisdiction of lands to each Tribe, require a formal Relocation Plan and to finalize relocation by July 8, 1986.

July, 1980: B. Keedinihii, D. McQuade arrested in confrontation with BIA. Acquitted.

September, 1980: Elder Alice Benally and three daughters maced, thrown to ground confronting fencing crew. Charged with 8 federal crimes.

April, 1981: Final Relocation Plan submitted to Congress. Elders and American Indian Movement establish Survival Camp at Big Mountain.

July 8, 1981: Relocation Plan accepted by Congress; 291 families relocated before adoption of Plan.

January, 1982: Relocation Commission Director Leon Berger resigns, says program is doomed to failure and tragedy.

February, 1982: Big Mountain Legal Defense/Offense Committee formed out of National Lawyers Guild meeting at Santa Fe. Office established at Flagstaff.

April, 1982: U.S. District Court orders destruction of 11 homes and other structures under P.L. 93-531, in and around Big Mountain area. Livestock confiscation resumes. Gatherings called to establish permanent presence of support workers on the land.

RECENT CHRONOLOGY 1983 - 1985

January, 1983: Peterson Zah takes office as new Navajo Tribal Chairman, announces "new era" of negotiation between the two Chairmen.

April, 1983: resisting confiscation of her horses, Big Mountain Elder Mae Tso is beaten, arrested and locked up; suffers heart attack.

Spring, 1983: Legal Defense Committee investigates relocatee ripoffs, so-called "home loss" phenomenom. Suits filed in State courts against realtors and finance companies. House Appropriations Committee requests "information" on home losses.

August, 1983: First Sun Dance held at Big Mountain.

March, 1984: Defense Committee and Support Group Network launch initiative to halt Relocation Commission funding pending investigation of fraud.

June, 1984: Appropriation passes House with rider requesting investigation of fraud in relocation program.

January, 1985: investigation completed; Commission response in March; Report plus response released March 25 at FY 86 House Appropriations Committee hearings.

February 8, 1985: President Reagan orders both Chairmen to meet to reach "speedy resolution" of "dispute". Judge Clark and Richard Morris assigned to make recommendations. At 2/12/85 meetings at Keams Canyon Clark makes clear frustration of Reagan and Goldwater. Morris stays in S.W. to continue discussions.

Feb.-June, 1985: Morris meets with officials and traditionals to gather positions. May 29 meets with Hopi religious leaders at Second Mesa expressing their traditional view that the Navajo should stay.

June 30, 1985: Religious leadership of Hopi and Elders of Big Mountain/JUA meet to share unified position that Navajo and Hopi should continue to share the life and land of the JUA.

July 30, 1985: Judge Clark, on behalf of Reagan, orders Chairmen to come to D.C. to reach final resolution, threatens to find "bad faith" if not willing to negotiate.

August 7, 1985: Hopi Chairman Sidney rejects first Clark recommendation for land exchange to reduce number of relocatees. Aug. 8: Navajo Chairman Zah offers to sign second recommendation of "rental agreement" between Tribes. Sidney asks for time, finally rejects recommendation on Aug. 21, says "time for negotiations was in 1975."

Sept.-Oct., 1985: Clark submits Report to Reagan recommending that Congress reconsider P.L. 93-531.

"When the Navajos came into this world, they were assigned a place to live..."

"The Hopis also were given a place to live by their creator..."

"...it is marked for us by our eagle shrines."

"The land tells us that other people did live here. WE now belong here because our forefathers are buried here."

We All Need Each Other

There is a small but rapidly growing network of supporters for the Dine and Hopi people facing forced relocation from their land in the former Joint Use Area. The groups within the network are highly interdependent. One group depends on another for information, but at the same time is invaluable because of the services or finances it provides. Part of our work in supporting the elders is to support each other so that we may continue this work.

You are also part of that support network. If it is within your means, please contribute to help keep this movement strong. You can subscribe to the "Big Mountain News" for $5/year through the Berkeley BMSG, send donations directly to the BMLD/OC office in Flagstaff, or make tax deductible contributions to the Big Mountain Legal Fund through the Capp St. Foundation.

You may also find a your own unique contribution. It's all needed.

Big Mountain Support Group
1412 Cypress St.
Berkeley, Ca. 94703

Thank you,
BMSG

Please enroll me in support of
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  ☐ invitation to support group meetings ☐ alerts ☐ events
  ☐ information distribution ☐ other (please specify)

THANK YOU -- YOUR HELP IS GREATLY APPRECIATED

CONGRESS WAS WARNED

Several Key warnings were delivered to Congress in 1974 by Representatives close to the issue and the area. Some recognized how horrendous the removal would appear once its was underway :

> "Let us today take only those actions which our children and our grandchildren...can applaud and respect...I remind you that the bill...will result in the forcible moving of some 6,000 to 8,000 Navajos from their homes. I say 'forcible' because I am absolutely certain it will require force to remove them...we have been warned of this by everyone connected with this problem, and yet we have a bill before us that would do exactly what we have been warned not to do...
>
> "Is there one single member of this body who can say to me here today, 'I know we can move 8,000 Navajos from their homes without violence, without bloodshed or force' ?"
>
> "Where do you propose to move them ? Russia does better than that...she at least provides for them to be shipped to Siberia."
>
> "This is the 20th century, not the days of Kit Carson and Buffalo Bill...I say 'No.' I say 'Never.' I say this Congress will not and cannot be party to such actions." Thus spoke Republican Representative Manuel Lujan of New Mexico in May of 1974.

The accuracy of Lujan's estimates of the magnitude and cost of the program also contrasted radically with those of the Relocation Act's sponsor, Wayne Owens, who testified:

> "I think there's plenty of space for those dispossessed members of the Navajo Tribe to move to...very frankly I doubt that it will be under force of bayonet...
>
> "...the incentives we have provided in the bill will make it very worthwhile...to move. The $28.5 million dollar figure...is probably too high. This bill takes the steps...to overcome the...problems caused to those 700 or 900 families that will be required to move." [Based on relocation statistics on family size, this would be 3400-3600 people]

The real impact of the Act all flows from its requirement for a 50/50 split of the land, hence removal of the Navajo. Owens' description of why partition:

> "This bill does not make judgemental decisions as to rights between the Navajo and the Hopi, except to...implement what the courts said the equities are."
>
> Morris Udall corrected him : "Under the court decision...there is no absolute right to 50% of the land...what there is, is a 50% right to the undivided interest in the land, and that could be in fee or in money or any other division..."

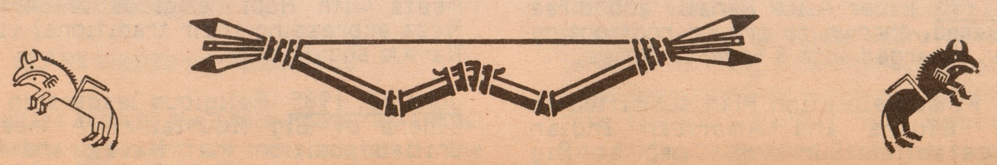
Lujan exposed the racist double standard of the Act:

> "...in the case of Indian property rights...courts have always said that you do not move people...they do not say 'you move from there.' What they say is, 'we will compensate the Tribe for the land that it has lost...That is one of the options that we have..."

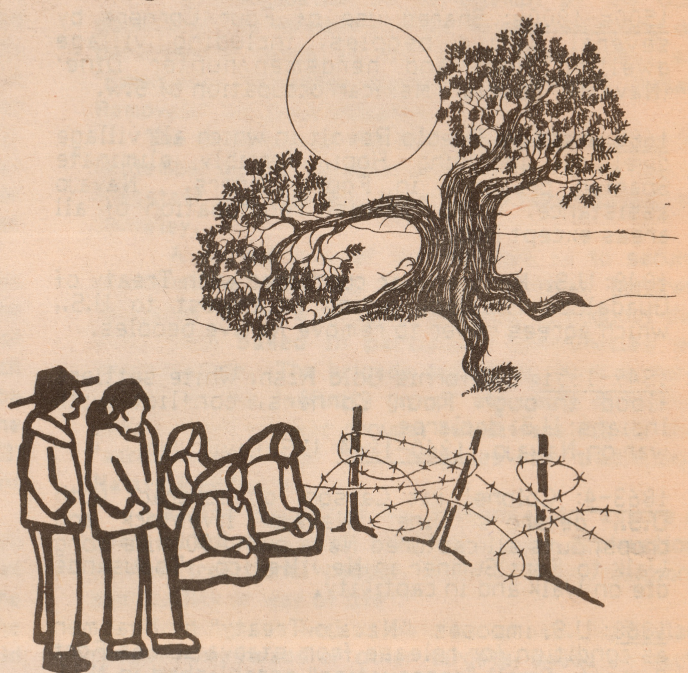
While Congress deferred to the Arizona delegation, it paid no heed to the one U.S. Representative from Arizona, in whose District the majority of the people targetted for relocation lived, Representative Conlan:

> "I rise in opposition to the Owens-Steiger proposal...it would require the forcible relocation of about 8,500 Navajo Indians...
>
> "Anyone with a full knowledge of the facts and history of this dispute fully realizes the gross inequity and cruelty of this solution. Navajo Indians did not drive anyone off this land they have inhabited...why do some now propose to drive these Navajo families off the land, like cattle, giving the Hopis a per capita share of the disputed acreage more than four times the acreage allotted to each Navajo ? I see no justice in forcibly uprooting them from the only homes they have ever known."

The bill passed the House that day, 290 to 38, with 105 not voting. Less than a quarter of those who voted that day are still in the Congress.



Big Mountain ACTION LIST



To support the legal work:

Big Mountain Legal
Defense/Offense Committee
124 N. San Francisco #B
Flagstaff AZ 86001
(602) 774-6923

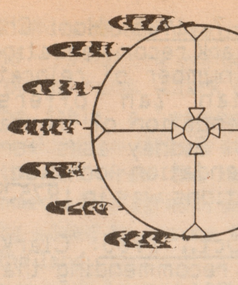
Donations of food, clothing, tools, etc., for the people:

Big Mountain Survival Camp
% Kee Shay
PO BOX 203
Oraibi AZ 86039

For general information and to get involved:

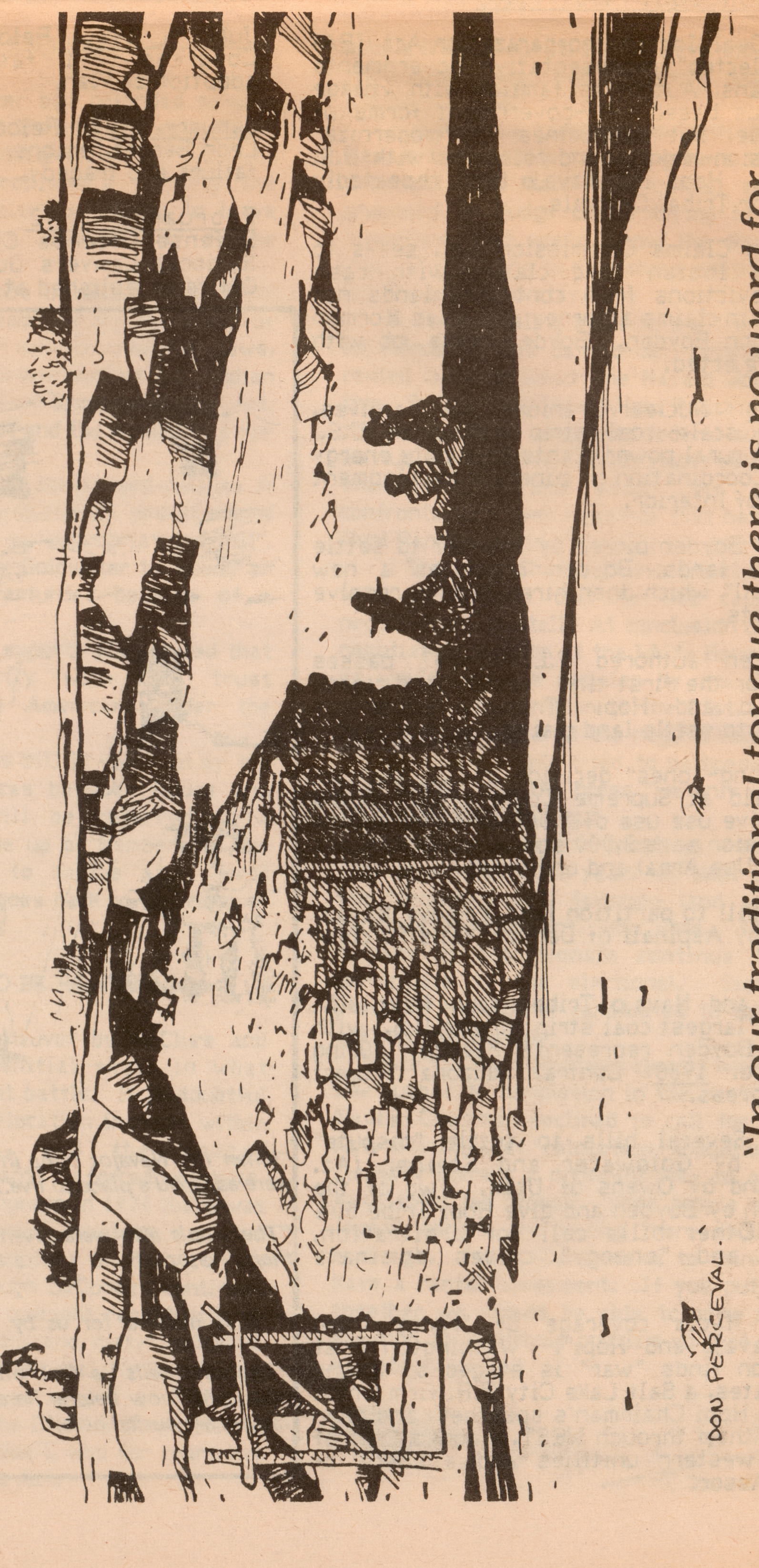
Big Mountain Support Group
1412 Cypress St.
Berkeley CA 94703
(415) 841-6500

WE WILL STOP RELOCATION
Repeal 93-531



ONE NATION

'ASK ME NO QUESTION' I CANNOT ANSWER
BUT HELP ME, BE PART WITH ME, LEARN WITH
ME THAT OF THE CREATOR AND MOTHER EARTH
SO TOGETHER WE SHALL BE THE ANSWER



> *"In our traditional tongue there is no word for relocation. To move away means to disappear and never be seen again."*
>
> *Pauline Whitesinger*